polemic or forensic or argumentative as in politics. Music can no more spell out the Einstein Theory of Relativity or the Darwin Origin of Species, than it can reflect Communist ideology.

All this shows to what extremes communism can bring a people. Montaigne said, "the fantasies of music are governed by art." I say, they can never be governed by politics.

FREEDOM TO TRAVEL

The Supreme Court has just issued a most momentous decision, indicating that there is uttermost freedom to travel, that everyone has the constitutional right to travel, and that the State Department cannot arbitrarily limit that right by denying a passport save for reasons that would be laid down by Congress and those reasons must be certain and definite. Congress has not done this in the case of political beliefs.

The Court held that the Secretary of State had no statutory power to deny a passport for refusal to answer questions on alleged Communist "beliefs or associations." The Secretary of State did not have the right to refuse a passport if one refused to answer a question as to whether he was a Republican or a Democrat—in the absence of some standard of instructions laid down by Congress. In other words, the Court refused to give the Secretary of State an "unbridled discretion to grant or withhold a passport for any substantive reason he may choose," such as, mere suspicion that the applicant is or was or might be a Communist sympathizer.

The Court held that the Secretary of State was not dealing with citizens who had been accused of any crime nor found guilty of a crime. The applicants were being denied their freedom of movement, their freedom to travel, solely because of their refusal to be subjected to inquiry into their beliefs and associations. There had been no proven charges of any danger to our security if they were to travel abroad.

Espionage or sabotage or any criminal activity would, of course, be a different matter. The Secretary of State has a right to deny a passport on these definite grounds. The Government has a right to protect itself and its security. But that protection does not run against mere radicals or political cranks or crackpots or unorthodox believers. I have always maintained that the political means test laid down by the State Department in recent years for issuing passports has not been helpful to the security of the country nor to the good name of the United States. If Congress now sees fit to enact a statute that would specify the Secretary of State's authority for refusal to grant a passport, that would be proper as far as I am concerned, provided reasonable and fair standards are set and due process is observed. Very likely Congress will do this, and then the Secretary of State will be unable to act arbitrarily. He would be compelled to follow reasonable restraints laid down by Congress.

# SENATE

TUESDAY, JUNE 24, 1958

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou who art from everlasting to everlasting, let the light of Thine eternity now fall upon our sinful ways.

May the floodlight of Thy judgment fall not only upon a world in the turmoil of selfish strife, but also upon our own hearts, with all their deceit and pretense.

Save us from demanding of others a higher standard of conduct than we demand of ourselves.

May the sympathy we show to others who are in want and woe be commensurate with the pity we would expend on ourselves if we were in their misery and need. So may we love our neighbor as ourself.

We ask it in the name of the One who came, not to be ministered unto, but to minister. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 23, 1958, was dispensed with.

## DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D. C., June 24, 1958.*

*To the Senate:*

Being temporarily absent from the Senate, I appoint Hon. RALPH W. YARBOROUGH, a Senator from the State of Texas, to perform the duties of the Chair during my absence.

CARL HAYDEN,
*President pro tempore.*

Mr. YARBOROUGH thereupon took the chair as Acting President pro tempore.

## COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees or subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Post Office Matters of the Committee on Post Office and Civil Service.

The Committee on Agriculture and Forestry.

The Fiscal Affairs Subcommittee of the Committee on the District of Columbia.

## LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there wil be the usual morning hour for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

## EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. CHAVEZ, from the Committee on Public Works:

Maj. Gen. Gerald E. Galloway, United States Army, to be a member of the Mississippi River Commission; and

Col. John S. Harnett, Corps of Engineers, to be a member of the California Debris Commission.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the calendar will be stated.

## UNITED STATES ATTORNEYS

The Chief Clerk proceeded to read sundry nominations of United States attorneys.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

## UNITED STATES MARSHALS

The Chief Clerk proceeded to read sundry nominations of United States marshals.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

## LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with amendments:

S. 3203. A bill to amend the act of August 15, 1953 (ch. 509, 67 Stat. 592; Public Law 284, Eighty-third Congress, first session), to revest title to the minerals in the Indian tribes, to require that oil and gas and other mineral leases of lands in the Riverton reclamation project within the Wind River Indian Reservation shall be issued on the basis of competitive bidding only, and for other purposes (Rept. No. 1746).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with an amendment:

S. 4002. A bill to authorize the Gray Reef Dam and Reservoir as a part of the Glendo

unit of the Missouri River Basin project (Rept. No. 1748).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

S. 4009. A bill to amend the act authorizing the Washoe reclamation project, Nevada and California, in order to increase the amount authorized to be appropriated for such project (Rept. No. 1749).

By Mr. ANDERSON, from the Joint Committee on Atomic Energy, without amendment:

S. 3786. A bill to further amend Public Law 85–162 and Public Law 84–141, to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 1747).

## BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUTLER:

S. 4042. A bill to authorize the Attorney General to permit certain alien crewmen to remain in the United States in excess of the 29-day period provided for under the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. WILEY:

S. 4043. A bill to amend the act providing aid for the States in wildlife-restoration projects with respect to the apportionment of such aid; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. WILEY when he introduced the above bill, which appear under a separate heading.)

By Mr. MCNAMARA:

S. 4044. A bill to establish a board of directors to manage the Saint Lawrence Seaway Development Corporation, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. MCNAMARA when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 4045. A bill for the relief of Henri Polak; to the Committee on the Judiciary.

By Mr. WILEY (for himself, Mr. DOUGLAS, and Mr. GOLDWATER):

S. 4046. A bill to authorize the appropriation to the Corregidor Bataan Memorial Commission of an amount equal to amounts, not in excess of $7,500,000, which may be received by the Secretary of the Navy from the sale of vessels stricken from the Naval Vessel Register, to be expended for the purpose of carrying out the provisions of the act of August 5, 1953; to the Committee on Armed Services.

By Mr. HUMPHREY:

S. J. Res. 181. Joint resolution extending for 60 days the special milk program; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above joint resolution, which appear under a separate heading.)

## PROMOTION AND PROTECTION OF HUMAN RIGHTS

Mr. HUMPHREY. Mr. President, on last Thursday the Senate unanimously agreed to Senate Concurrent Resolution 94, expressing deep indignation over Soviet barbarism and perfidy in the execution of Imre Nagy and other Hungarian leaders. I am pleased, Mr. President, that the State Department released its statement of June 19; and I ask unanimous consent that the statement be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

UNITED STATES STATEMENT ON NAGY

(WASHINGTON, June 19.—Following is the text of the State Department's statement today on the execution of former Hungarian Premier Imre Nagy, as read to reporters by Lincoln White, department press officer:)

The United States is gratified to learn that the United Nations Special Committee on the Problem of Hungary has decided to convene urgently in order to consider the secret "trial" and execution of Imre Nagy, Gen. Pal Maleter and two compatriots by the Soviet-installed Hungarian regime.

The brutal execution of these Hungarians is an affront to all members of the United Nations and to the conscience of the world. It contravenes the Universal Declaration of Human Rights and ignores the will of the United Nations General Assembly expressed in Resolution 1133 of the 11th General Assembly. That specifically refers to this Hungarian situation.

The report of the United Nations Special Committee on the Problem of Hungary was endorsed by an overwhelming majority of the members of the United Nations. The report made crystal clear that the events which took place in Hungary in October and November of 1956 constituted a spontaneous national uprising and it found that the Union of Soviet Socialist Republics, in violation of the charter of the United Nations, has deprived Hungary of its liberty and political independence and the Hungarian people of the exercise of their fundamental human rights. The report also states that the present Hungarian regime has been imposed on the Hungarian people by the armed intervention of the Union of Soviet Socialist Republics.

Imre Nagy was the victim of Soviet violation of safe-conduct pledged by the Hungarian regime. Furthermore, Pal Maleter was the victim of Soviet duplicity while negotiating in good faith with Soviet representatives for the withdrawal of Soviet troops from Hungary.

The United States Government has repeatedly asked those in power in Hungary for information concerning the whereabouts of Mr. Nagy and his colleagues. No information has ever been received.

It is hoped that the committee will develop the full facts surrounding this latest occurrence in the horrifying tragedy of Hungary.

Mr. HUMPHREY. Mr. President, I note that the State Department's statement says that these executions contravene the Universal Declaration of Human Rights adopted at the United Nations on December 10, 1948. I am particularly pleased that the Department has taken this occasion to remind us of the importance of that declaration.

The Universal Declaration of Human Rights was promulgated during a period when the United States was playing a forthright and leading role in the United Nations in an effort to promote and protect human rights. During this period, from 1946 to 1953, we also stressed the promulgation of the Genocide Convention to which 55 nations have now acceded. These were the years when our beloved former First Lady, Mrs. Eleanor Roosevelt, was chairman of the Commission on Human Rights. This was the period when the United States of America was steadily associated with the cause of human rights at the United Nations.

Unfortunately, Mr. President, I know from my own experience as a delegate to the United Nations that our reputation for leadership in the field of human rights is no longer secure, either at the United Nations or elsewhere. There may be several reasons for this. One of them undoubtedly, however, is that since 1953 and the efforts of the so-called "Bricker amendment" advocates, there has been considerable pressure against official participation in international conventions and treaties affecting human rights.

In April 1953 Secretary of State Dulles came before a subcommittee of the Senate Judiciary Committee and announced that the United States would no longer participate in a movement to promote rights by international agreement. He stated—in fact, he pledged—that the United States Government would not submit for ratification treaties on such subjects. Since Secretary Dulles' statement in 1953, no multilateral treaties for the promotion of human rights have been signed by our Government. We have even gone to the extreme of announcing in advance to the United Nations that we will not sign treaties on human rights—even before we have examined the provisions of these treaties.

The one convention, Mr. President, which was signed and submitted to the Foreign Relations Committee prior to 1953—the Genocide Convention—has languished in committee. The reasons for this are well known to every committee member. The State Department does not desire its ratification. Under these circumstances, the committee has given the Department every opportunity to withdraw this and other items on the agenda of the Foreign Relations Committee on which the State Department has changed its mind and on which action is no longer desired.

However, the State Department does not wish to take the responsibility for withdrawing the Genocide Convention. Instead, it wishes to maintain the present situation of inactivity, with responsibility for our failure to ratify thus placed on the shoulders of the members of the committee, rather on the Department. This is an unpardonable bit of buck passing, Mr. President, and I think it is high time it was publicly aired. I believe we have a right to have the State Department fish or cut bait on this issue. The Department has an obligation either to press for action in the Foreign Relations Committee on the Genocide Convention, or else be honest and withdraw it.

Many other issues are involved in this whole question of the depressive impact of our present State Department position on the question of international human rights. A brief survey of developments in this field will indicate what I have in mind.

For instance, the United States has not become a party to the following conventions in the field of human rights:

December 9, 1948: Convention on the Prevention and Punishment of the Crime of Genocide;

April 6, 1950: Convention on the Declaration of Death of Missing Persons—in effect December 1951;

July 28, 1951: Convention Relating to the Status of Refugees—in effect December 1952;

December 20, 1952: Convention on the Political Rights of Women;

March 31, 1953: Convention on International Right of Correction—not in effect;

September 28, 1954: Convention Relating to the Status of Stateless Persons—in effect December 1954;

June 1956: Convention on Maintenance of Obligations Abroad;

September 7, 1956; Supplementary Convention on Slavery, the Slave Trade, and Institutions and Practices Similiar to Slavery;

January 29, 1957: Convention on the Nationality of Married Women.

Second. The following instruments are being considered by organs of the United Nations:

(a) The two Draft International Covenants on Human Rights;

(b) Recommendations concerning international respect for the right of peoples and nations to self-determination;

(c) Draft Convention on Freedom of Information.

Third. The following studies are under consideration:

(a) Study of discrimination in the field of employment and occupation—by the International Labor Office;

(b) Study of discrimination in the matter of religious rights and practices—by the Subcommission on Prevention of Discrimination and Protection of Minorities;

(c) Study of discrimination in the matter of political rights—by the Subcommission on Prevention of Discrimination and Protection of Minorities;

(d) Study of the matter of arbitrary arrest, detention or exile—by a special Committee of Four of the Commission on Human Rights.

In the face of this long record of inactivity, and the harm it undoubtedly has done to our national image before the world, I believe that Senate action would be appropriate to help correct the situation.

Therefore, Mr. President, I submit a concurrent resolution urging the President of the United States to resume participation by the United States in the United Nations and in other international bodies in the effort to draft and sign international instruments to promote and protect human rights and fundamental freedoms throughout the world.

I ask unanimous consent that the text of the concurrent resolution be printed at this point in the RECORD; and I urge speedy attention by the Foreign Relations Committee.

The concurrent resolution (S. Con. Res. 97) was referred to the Committee on Foreign Relations, as follows:

Whereas the United States has pledged itself by the Charter of the United Nations "to take joint and separate action in cooperation" with the United Nations to promote "universal respect for, and observance of, human rights and fundamental freedoms for all without distincion as to race, sex, language, or religion"; and

Whereas denials of human rights anywhere have a direct relationship to the preservation of world peace and stability; and

Whereas the United States from 1946 to 1953 played a leading role in the efforts of the United Nations to promote respect for and observance of human rights, during which period the Universal Declaration of Human Rights and the Genocide Convention were promulgated; and

Whereas the United States has failed to ratify the Genocide Convention and has informed the United Nations that it will not in the future sign any international agreement on human rights; and

Whereas the present refusal of the United States to participate in international efforts to protect human rights has diminished the prestige and influence of the United States and weakened such international efforts: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That the President of the United States is requested to resume the participation by the United States in the United Nations and in other international bodies in the effort to draft and sign international instruments to promote and protect human rights and fundamental freedoms throughout the world.

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## FAIRER DISTRIBUTION OF FEDERAL FUNDS FOR WILDLIFE PROJECTS

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a bill to provide for fairer distribution of Federal funds for wildlife restoration and management programs. The proposed legislation, amending section 4 of the Pittman-Robertson Act, would require the apportionment of Federal funds to States for game projects on the basis of license issued, rather than on the basis of number of license holders.

Recently I received from L. P. Voigt, director of Wisconsin's Conservation Department, a resolution, adopted at a joint meeting of the Wisconsin Conservation Commission and the Illinois Advisory Board, endorsing the objective of this proposed legislation.

I ask unanimous consent that the bill, together with a supplemental statement, prepared by me, and the resolution from Director Voigt, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, supplemental statement, and resolution will be printed in the RECORD.

The bill (S. 4043) to amend the act providing aid for the States in wildlife-restoration projects with respect to the apportionment of such aid, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.*, That section 4 of the act entitled "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937, as amended (16 U. S. C. 669c), is amended by striking out "one-half in the ratio which the number of paid hunting-license holders of each State in the preceding fiscal year, as certified to said Secretary by the State fish and game departments, bears to the total number of paid hunting-license holders of all the States," and inserting in lieu thereof "one-half in the ratio which the number of paid hunting licenses issued by each State in the preceding fiscal year, as certified to said Secretary by the State fish and game departments, bears to the total number of paid hunting licenses issued by all the States."

The statement and resolution presented by Mr. WILEY are as follows:

STATEMENT BY SENATOR WILEY

Under the Pittman-Robertson Act, the States match Federal funds on a 25-percent basis to carry on acquisition, maintenance, and restoration of wildlife projects. The funds are obtained by collection of an excise tax on firearms and ammunition. After deducting administrative costs and certain statutory aids to Territories, the money is reapportioned to the States.

For over 20 years, funds under the act have been allocated to the States according to a formula generally based on records of number of licenses issued. Now—by a new interpretation of the original statute—the Department of the Interior proposes to change the formula to allocate funds on the basis of license holders, rather than on licenses issued. The result, I believe, would be an unfair and inequitable distribution of funds under the program.

For example, a hunter may be issued separate licenses for different kinds of game hunting. Under the proposed changes, however, the State, for purposes of qualifying for funds, would be allocated money only on the basis of a single license. However, the cost of management, maintenance, and restoration of the separate game programs would be the same as if several hunters had been issued licenses. Thus, it would result in an inequitable distribution of funds.

The task of determining the number of hunters in a State annually, too, would require a special statistical survey. This data would be used as a base on which to apportion funds for the next year. However, according to estimates, such a survey would cost Wisconsin from $15,000 to $30,000; the expense to other States would be proportionately high.

From time to time, also, the surveys would have to be repeated, so as to attempt to maintain accurate records. Instead of this costly, inequitable procedure, I believe the record of licenses issued can, and should, serve as a basis upon which to apportion the funds.

Thus, the proposed changes would not only disrupt the present policy and result in inequitable distribution of money under the programs; it would also require the outlay of large sums of money for surveys that could more appropriately be spent for wildlife management and restoration practices.

To forestall what I feel would be detrimental effects of the proposed changes, I am urging Secretary of the Interior Fred Seaton to hold in abeyance any such action until the Congress has had an opportunity to take a new look at the situation and make necessary changes in the law.

Meanwhile, I respectfully urge the members of the Senate Committee on Interior and Insular Affairs to take action on this proposed legislation as soon as possible.

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RESOLUTION

Whereas Public Law 415, better known as the Pittman-Robertson Act, was passed in 1937 and provided that the excise tax on sporting arms and ammunition be distributed to the various States by the Department of the Interior on the basis of a formula which included equal weight to land area of each State and to the number of paid hunting license holders as certified to the Secretary of the Interior by the State fish and game departments; and

Whereas for the past 20 years the number of paid license holders has been interpreted to mean the number of hunting licenses sold and apportionment of Pittman-Robertson funds has been based on this assumption with the full knowledge and approval of the Department of the Interior; and

Whereas many people hold both big game and small game, resident and nonresident hunting licenses, and it is a well-recognized fact that a certain number of people in every State in the Union hold more than one hunting license—such duplication can only be determined by a most comprehensive and costly statistical survey; and

Whereas the original Pittman-Robertson Act contains a number of unrealistic provisions; that is, the quality of the land areas for wildlife values is not differentiated, the valuable waterfowl areas of the Great Lakes are not included in the land areas considered, and hunting pressure is grossly undervalued in the formula; and

Whereas no consideration is proposed for the dual role played by the hunter who maintains two sets of arms, ammunition, and licenses for both big-game and small-game hunting; and

Whereas it is now determined by the Bureau of Sport Fisheries and Wildlife that the method of certification of hunters by the various State fish and game departments is no longer considered valid and, therefore, large sums of State fish and game management funds must be expended for statistical surveys to determine the actual number of hunters in each State, such surveys to cost somewhere between $4,000 and $350,000 per State annually, which money will be forever lost to game management: Now, therefore, be it

*Resolved*, That the Wisconsin Conservation Commission and the Illinois Advisory Board, in joint meeting duly assembled on April 24, 1958, in the city of Elgin, Ill., respectfully request the Members of Congress and the United States Senators from the States of Illinois and Wisconsin to instigate legislation in the Congress of the United States to make desirable changes in the formula for the distribution of funds available under the Pittman-Robertson law and for the certification of the number of licenses sold so that the division of fish and game funds under the recent ruling of the Bureau of Sport Fisheries and Wildlife can be eliminated;

* * * * *

ILLINOIS ADVISORY BOARD,
By GLEN D. PALMER,
*Conservation Director.*
WISCONSIN CONSERVATION COMMISSION,
By L. P. VOIGT,
*Conservation Director.*

## BOARD OF DIRECTORS TO MANAGE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. McNAMARA. Mr. President, I introduce, for appropriate reference, a bill to establish a Board of Directors to manage the St. Lawrence Seaway Development Corporation, and for other purposes.

This bill would formally remove the St. Lawrence Seaway Corporation from the supervisory authority of the President and establish it as an independent agency.

I believe this action is especially necessary, following the Executive order of the President last weekend, to transfer control of the Seaway Corporation to the Commerce Department.

When the transfer from the Defense Department to Commerce was in the discussion stage last December, I wrote to the President to protest the transfer. I suggested that supervision and direction of the Corporation remain with the Defense Department "at least until such time as the Corporation can be made an independent agency."

Unfortunately, the President has ignored the many protests that have been raised over the matter and has transferred jurisdiction to the Commerce Department. He has taken an action which I believe will help no one in the long run except those who are against the aims and purposes of the St. Lawrence Seaway.

With the seaway now scheduled to begin operations within a year, it is important that control be vested in those who will make it a serious and full-time business to insure the seaway's success.

My bill would turn the St. Lawrence Seaway Development Corporation into an independent agency governed by a three-man Board of Directors.

The Directors would be appointed by the President with the advice and consent of the Senate, and they would serve 9-year terms.

Complete control of the seaway, negotiations with the appropriate Canadian agency, and the setting of measurements, rates, and tolls would be vested in the Corporation.

The precedent for this is the long-standing Federal policy of placing the practical responsibiilties of our transportation systems with independent agencies.

Examples, of course, are the Interstate Commerce Commission, the Civil Aeronautics Board, and the Maritime Commission.

While the Maritime Board technically is under the Commerce Department, the Board, with respect to its regulatory functions, is independent of the Secretary of Commerce.

I believe the interests of the seaway users, the surrounding area, and of the country will be best served by making the Corporation an independent agency.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4044) to establish a board of directors to manage the St. Lawrence Seaway Development Corporation, and for other purposes, introduced by Mr. McNAMARA, was received, read twice by its title, and referred to the Committee on Foreign Relations.

## EXTENSION OF SPECIAL MILK PROGRAM

Mr. HUMPHREY. Mr. President, under legislation which I sponsored several years ago, milk has been provided, not only to children in our schools, but also to children in summer camps, child-care centers, and similar institutions, under what is known as the special milk program.

Authority for this program will expire next Monday. Unless something is done about it this week, the Department of Agriculture must suspend its activities under the program.

The Senate previously voted a 3-year extension of the program, and a similar extension has been approved by the House Committee on Agriculture and Forestry, but has been included in an omnibus farm bill that will take more time to clear through the Congress.

As a result, we face suspension of this program right at the start of the summer period. Unless emergency action is taken, for example, some 2,000 summer camps will be cut off from intended milk distribution.

No Member of either the Senate or the House wants this to happen. A parliamentary situation should not be allowed to cut off this program. For that reason, I have explored means of avoiding such a suspension with various Members of the other House who are interested both in this program and in the omnibus farm bill.

Mr. President, as an outgrowth of those discussions, I introduce a joint resolution extending the special milk program for 60 days, and ask that it be referred to the Committee on Agriculture and Forestry for immediate consideration and action. We must approve it this week.

I have reason to believe the joint resolution is acceptable to the House committee. In fact, one of the House committee members plans to introduce a companion joint resolution today.

I am sure the House will either pass the joint resolution or will pass the Senate bill already pending before it, to extend this program.

In the interest of time, however, it would be advisable for the Senate itself to act on this temporary extension, even though we have already voted a 3-year extension.

This temporary continuation has been discussed with officials of the branches concerned in the Department of Agriculture, and they assure us that it will permit continuation of the program uninterrupted until August 31. By that time, the Congress will have opportunity to complete action on the 3-year extension, either in an omnibus bill or separately. I urge the cooperation of the Committee on Agriculture and Forestry and the leadership in getting this joint resolution enacted as quickly as possible.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 181) extending for 60 days the special milk program, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

## STABILIZATION OF PRODUCTION OF CERTAIN MINERALS FROM DOMESTIC MINES—AMENDMENTS

Mr. NEUBERGER. Mr. President, on behalf of myself, the Senator from Washington [Mr. JACKSON], and the Senator from West Virginia [Mr. HOBLITZELL], I submit amendments, intended to be proposed by us, jointly, to the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines. These amendments would include pig aluminum on the same basis that copper is presently included in title III of the bill.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and referred to the Committee on Interior and Insular Affairs.

Mr. CHURCH. Mr. President, on behalf of my colleague, the senior Senator from Idaho [Mr. DWORSHAK] and myself, I submit an amendment, intended to be proposed by us, jointly, to the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines, and ask that it be printed and appropriately referred.

Senate bill 4036, which was introduced on June 20 by the senior Senator from Montana [Mr. MURRAY], the senior Senator from Nevada [Mr. MALONE], the senior Senator from Utah [Mr. WATKINS], the junior Senator from Montana [Mr. MANSFIELD], the junior Senator from Colorado [Mr. CARROLL], the junior Senator from Nevada [Mr. BIBLE], the senior Senator from Wyoming [Mr. BARRETT], the junior Senator from Arizona [Mr. GOLDWATER], the senior Senator from New Mexico [Mr. CHAVEZ], and myself, establishes the so-called Seaton plan for copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines.

The amendment I submit would add to the bill for lead and zinc a provision similar to that already contained in it for copper. It would authorize the Government, for a period of 1 year only, to purchase for the supplemental stockpile, 100,000 tons of lead and 200,000 tons of zinc.

Mr. President, the crisis in the lead-zinc industry in my State, and other areas in the United States, is critical. The Interior Department, in cooperation with the State Department, has done a constructive job in proposing a stabilization plan to benefit the domestic producers, without at the same time creating a disruptive situation in the mineral-producing countries friendly to the United States. I am persuaded that if the objectives of the Seaton plan are to be achieved, the large stocks of lead and zinc in the hands of producers must be absorbed in the stockpile. Then the industry can adjust to the new program, and reopen the mines and smelters and call its unemployed miners back to work, in an economic climate not depressed by abnormal pressures.

This is precisely the situation which has been recognized in the administration's plan with respect to copper. I am sure it will be found that the considerations apply equally in the case of lead and zinc.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and referred to the Committee on Interior and Insular Affairs.

## MISBRANDING AND FALSE ADVERTISING OF FIBER CONTENT OF TEXTILE FIBER PRODUCTS—AMENDMENTS

Mr. PURTELL (for himself and Mr. BUSH) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, which was ordered to lie on the table, and to be printed.

Mr. BEALL submitted an amendment, intended to be proposed by him, to House bill 469, supra, which was ordered to lie on the table, and to be printed.

## AMENDMENT OF SMALL BUSINESS ACT OF 1953—AMENDMENT

Mr. CAPEHART submitted an amendment, intended to be proposed by him, to the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended, which was ordered to lie on the table, and to be printed.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CAPEHART:

Statement prepared by him regarding concerts recently given by Benny Goodman at the Brussels Fair.

## RETIREMENT OF ADM. FELIX B. STUMP

Mr. HOBLITZELL. Mr. President, on August 1, 1958, one of the Nation's highest ranking naval officers, Adm. Felix Budwell Stump, will end a lengthy period of service to his country that is in keeping with the highest tradition of the Armed Forces of the United States of America.

I take this opportunity to pay tribute to Admiral Stump, who will go into retirement on the day when he steps down from his post of commander in chief, Pacific.

I am particularly honored to pay tribute to this famed fighting man, since he is a native of my hometown, Parkersburg, W. Va., and now lists Clarksburg, W. Va., as his official address. West Virginians are proud to be able to claim Admiral Stump as one of their own.

It would be far beyond my capacities to render a worthy account of the admiral's outstanding services during a period that spans two world wars. I feel that Admiral Stump's official Navy biographical sketch, which merely contains the statistical and factual information needed for naval records, does a more competent job.

The facts speak for themselves in spelling out this great American's contribution to the defense of his Nation.

At this time, Mr. President, I ask unanimous consent that there be printed in the RECORD an outline of the career of this officer.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADM. FELIX B. STUMP, UNITED STATES NAVY

A native of Parkersburg, W. Va., Felix Budwell Stump was appointed to the Naval Academy from that State in 1913. Graduated in March 1917, just prior to the United States entrance into World War I, he had war service in the gunboat *Yorktown* and as navigator of the cruiser *Cincinnati*, operating on escort duty in the Atlantic.

After the war he served in the battleship *Alabama*, had flight training at the Naval Air Station, Pensacola, and postgraduate instruction in aeronautical engineering at the Massachusetts Institute of Technology. He subsequently served in Torpedo Squadron 2 of the experimental carrier *Langley*; as assembly and repair officer at the Naval Air Station, Hampton Roads, Va.; and in command of the cruiser scouting wing and on the staff of Commander Cruisers, Scouting Fleet. He then had two tours of duty in the Bureau of Aeronautics; and was commanding officer of the *Saratoga's* Scout-Bombing Squadron 2, and navigator and executive officer, respectively, of the carriers *Lexintgon* and *Enterprise*.

In command of the *Langley*, in Manila Bay, at the outbreak of World War II, he was transferred in January 1942 to the staff of the Commander in Chief, Asiatic Fleet. For exceptionally meritorious service as commander of the combined operation center of the Allied-American, British, Dutch, and Australian air command, he was awarded the United States Army's Distinguished Service Medal.

In 1942 he had 8 months' duty as air officer for Commander Western Sea Frontier, then commanded the new carrier *Lexington*, which was awarded the Presidential Unit Citation for heroism in Gilbert and Marshall Islands operations in 1943. He was awarded the Silver Star Medal for conspicuous gallantry and intrepidity in action against enemy Japanese-held islands * * * from September to December 1943. He later commanded Carrier Division 24, and was awarded the Navy Cross twice, the Legion of Merit (three awards), and has the ribbon for the Presidential Unit Citation to his flagship, the *Natoma Bay*.

He was chief of the Naval Air Technical Training Command from May 1945 to December 1948, after which he served successively as Commander Air Force, Atlantic Fleet, and Commander 2d Fleet. Since July 10, 1953, he has been commander in chief, Pacific and United States Pacific Fleet, with headquarters at Pearl Harbor, T. H.

PERSONAL DATA

Date and place of birth: Parkersburg, W. Va.; December 15, 1894.

Parents: John Sutton and Lily Ragwell (Budwell) Stump.

Wife's name and date of marriage: Frances Elizabeth Smith; August 11, 1937.

Children: Felix B., Jr., and Frances Stump.

Education: Werntz Preparatory School, Annapolis, Md.; United States Naval Academy, Annapolis, Md., 1917; Flight Training, Pensacola, Fla., 1920; Post Graduate School and Massachusetts Institute of Technology (M. S., aeronautical engineering, 1923).

PROMOTIONS

Midshipman, June 26, 1913.
Ensign, March 30, 1917.
Lieutenant (jg.), March 30, 1920.
Lieutenant, July 1, 1920.
Lieutenant commander, October 7, 1927.
Commander, June 30, 1937.
Captain, June 30, 1942.
Rear admiral (T), March 30, 1944.
Rear admiral, August 7, 1947, to rank from May 16, 1943.
Rear admiral, upper half, July 1, 1948.
Designated commander, Air Force, Atlantic Fleet, rank vice admiral, December 3, 1948.
Admiral, June 27, 1953.

DECORATIONS AND MEDALS

Navy Cross with one gold star.
Distinguished Service Medal (Army).
Silver Star Medal.
Legion of Merit Medal (Combat "V") with two gold stars.

Presidential Unit Citation (U. S. S. *Lexington*).

Presidential Unit Citation (U. S. S. *Natoma Bay*).

World War I Victory Medal, Escort Clasp.

American Defense Service Medal, Fleet Clasp.

American Campaign Medal.

Asiatic-Pacific Campaign Medal with four bronze stars.

World War II Victory Medal.

National Defense Service Medal.

Philippine Liberation Ribbon with two bronze stars.

CITATIONS

Navy Cross: "For extraordinary heroism as commander task unit 77.4.2, while those six escort carriers were engaged in furnishing aerial support to our amphibious attack groups landing troops on the shores of Leyte Gulf, Philippine Islands, from October 18 to 29, 1944. With his task unit under almost continuous attack by enemy aircraft and suicide dive bombers during the battle off Samar Island on October 25, he continued to direct repeated aerial strikes against the Japanese fleet approaching Leyte Gulf and * * * contributed in large measure to the sinking of several hostile ships and the infliction of extensive and costly damage on numerous others."

Gold Star in lieu of a second Navy Cross: "For extraordinary heroism during the assault and amphibious occupation of Mindoro, Philippine Islands, from December 12 to 17, 1944 * * * Rear Admiral Stump afforded excellent air cover for two widely separated convoys and a covering group of battleships, cruisers, and destroyers, and in addition, located and launched destructive attacks against nearby Japanese airfields. In the course of these operations 67 enemy planes were definitely destroyed and 11 probably destroyed with a loss of only 8 of our planes."

United States Army's Distinguished Service Medal: "For exceptionally meritorious and distinguished service in a position of great responsibility as commander of the combined operation center of the Allied-American, British, Dutch, and Australian Air Command and of the Joint American, British, Dutch, and Australian High Command. * * * His tactful liaison contributed greatly to the maintenance of the closest cooperation in the maximum operation efficiency of combined allied forces. Under his direct supervision the combined operation center of the Allied Command was rapidly organized in Java and efficiently operated despite the imminent danger and difficulties resulting from the ruthless and devastating attacks of the numerically superior enemy forces in their impending invasion."

Silver Star Medal: "For conspicuous gallantry and intrepidity * * * in action against enemy Japanese-held Tarawa, Apamama, Wake, Mille, and Kwajalein, from September 18 to December 5, 1943 * * * (he) engaged in sustained offensive operations against the enemy during the assault on these strategic Japanese bases in the central Pacific area, and when the *Lexington* was hit and damaged by an enemy torpedo bomber on the night of December 4–5, he boldly fought off persistent aerial attacks for more than 2 hours before he retired from the combat area."

Legion of Merit: "For exceptionally meritorious conduct * * * as commander of a carrier air support group, during operations against enemy Japanese forces in the Marianas Islands from June 14 to August 1, 1944. * * * (He) conducted well-coordinated bombing and strafing missions, antisubmarine and combat air patrols in support of the amphibious landings in this area. By his efficient organization and manipulation of escort carriers during their many aggressive missions, (he) contributed materially to the successful Marianas campaign."

Gold Star in lieu of a second Legion of Merit: "For exceptionally meritorious conduct * * * as escort carrier division commander and escort carrier task unit commander in action against enemy Japanese forces at Okinawa, Ryukyu Islands, April and May 1945. (He) contributed immeasurably to the repeated success of his forces and to the consistent high standard of carrier-based operations. * * * He led his carrier task unit as air support for ground forces on Okinawa in a total of 3,999 daring neutralization strikes, thereby inflicting extensive damage on vital enemy airfields, small craft and installations and destroying 52 airborne and 39 grounded craft."

Gold Star in lieu of a third Legion of Merit: "For outstanding services during the invasion of Japanese-held Luzon, Philippine Islands, from January 1 to 17, 1945. Although only 4 of the 6 carriers under his command were available for flight commitments on January 4 and 5, (he) skillfully coordinated operations to meet a full schedule, directing his unit in inflicting exceedingly heavy damage upon the enemy in preparation for the invasion and after troops had landed."

CHRONOLOGICAL TRANSCRIPT OF SERVICE

April 1917–December 1917: U. S. S. *Yorktown.*

December 1917–May 1918: U. S. S. *Cincinnati.*

May 1918–April 1919: U. S. S. *Cincinnati* (navigator).

May 1919–August 1919: U. S. S. *Alabama.*

September 1919–July 1920: Naval Air Station, Pensacola, Fla. (flight training).

July 1920–December 1920: U. S. S. *Harding.*

December 1920–April 1922: Naval Air Station, Hampton Roads, Va. (instruction).

June 1922–October 1924: Instruction, Pg School and MIT (aero engineer).

December 1924–June 1927: Aircraft Squadron, Battle Fleet.

June 1927–September 1930: Naval Air Station, Naval Operating Base, Hampton Roads, Va.

September 1930–July 1931: VS Squadron NINE-S Aircraft Squadrons, Scouting Fleet (commanding).

July 1931–June 1932: VS Squadron TEN-S, Cruisers, Scouting Force (commanding).

July 1932–June 1934: Bureau of Aeronautics, Navy Department.

June 1934–June 1936: VS Squadron TWO-B (commanding).

June 1936–August 1937: U. S. S. *Lexington* (navigator).

August 1937–May 1940: Bureau of Aeronautics, Navy Department.

June 1940–June 1941: U. S. S. *Enterprise* (executive officer).

September 1941–January 1942: U. S. S. *Langley* (commanding).

January 1942–March 1942: Asiatic Fleet (staff).

April 1942–November 1942: Western Sea Frontier (air officer).

December 1942–April 1944: U. S. S. *Lexington* (commanding).

May 1944–June 1945: Carrier Division 24 (commanding).

June 1945–November 1948: Chief, Naval Air Technical Training, Chicago, Ill.; Pensacola, Fla.; and Memphis, Tenn.

December 1948–March 1951: Air Force United States Atlantic Fleet (commanding).

April 11, 1951–June 30, 1953: Commander, Second Fleet.

July 10, 1953–present: Commander in chief, Pacific and United States Pacific Fleet.

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## IF CONGRESS SURRENDERS—FAILURE TO ACT ON SENATE BILL 2646

Mr. BUTLER. Mr. President, the New York Daily News of Monday, June 16, carries a lead editorial entitled "If Congress Surrenders," which takes a very dim view of what it considers to be the sidetracking of Senate bill 2646.

Because I think all Senators will be interested in the reaction indicated by the editorial, I ask unanimous consent that it be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IF CONGRESS SURRENDERS

It begins to look as if Congress—the current 85th Congress, that is, which expires at the year's end—has decided to put up no further fight against the Earl Warren Supreme Court's numerous kindnesses to Communists, attacks on the powers of Congressional investigating committees, and invasions of States rights and the crime-combating powers of police.

The Butler-Jenner bill, frequently discussed in this space, was approved weeks ago by the Senate Judiciary Committee—meaning it is eligible for debate and vote in the full Senate at any time.

Yet the Senate's Democratic policy committee in its wisdom has kept the bill from being called up for action, on the plea that more important legislation is before Congress and a long Butler-Jenner debate would only gum things up. Unless the bill is called up by mid-June, which is right now, the chance that it will be discussed at this session of Congress is slim.

If you ask us, the Democratic policy committee has been guilty of an unpatriotic sidestepping of its duty, because the future of the Nation is endangered by the things the Warren court has been doing to United States rights and practices ever since Earl Warren became Chief Justice by appointment of President Eisenhower in 1953.

What these nine men (most of them poorly qualified to sit on the Nation's highest bench) have done for the criminal Communist conspiracy is well known.

COMMIES AIDED, RAPIST LIBERATED

They have knocked over 42 States antisedition laws, gutted the Smith Antisubversive Act of 1940, made what the late Senator Joseph R. McCarthy called fifth amendment Communists eligible to practice law in any State, and sprung dozens of Reds from jail or the threat of jail.

The net result of the long string of pro-Communist decisions is that it is harder than ever before for the Government to combat the Red conspiracy to overthrow that same Government and make slaves of all Americans except Reds.

We doubt that any of the learned Justices are personally in favor of rape. But in the notorious Mallory decision, a confessed and convicted Washington, D. C., rapist was turned loose by the Warren Court because the police had held him for 7 hours' conversation with them prior to his arraignment before a magistrate.

By this decision, the Warren Court confused and bemused police and prosecutors all over the country, and enabled gangsters and other hardened criminals to thumb their noses frequently at the law. Associate Justice Felix Frankfurter, by the way, referred to the above-mentioned convicted rapist as just "a 19-year-old lad." At last report, the lad was going around Washington free to rape again.

These are only a few samples of the things done to the American system by the collection of theorists, sociologists, and political hacks who make up a majority of today's Supreme Court Justices.

BUTLER-JENNER COURT CURBS

The Butler-Jenner bill aims to restrain this group in four ways. It would (1) put

the teeth back into the Smith Act, (2) forbid the Court to tell States whom they may and may not admit to the bar, (3) restore the 42 State anti-sedition laws which the Earl Warren Court rubbed out for all practical purposes, and (4) make the Court stop prescribing conditions under which Congressional investigating committees can investigate.

This, it seems to us, is the very least that Congress ought to do as regards clipping Warren's and his colleagues' claws.

Yet the Butler-Jenner bill's misfortunes to date indicate that Congress lacks the backbone to stand up and fight the Warren Court. Is it possible that Congress is overloaded with lawyers who suffer from a mixture of exaggerated respect for and plain fear of these nine men?

By failing to debate the Butler-Jenner bill at this session, Congress would simply encourage the Warren Court to continue and broaden its offensive against American rights, privileges, liberties, and customs. If the people's elected representatives have no courage, how can the people be saved from judges bent on making laws rather than interpreting existing laws?

And why should the people vote for any candidate for House or Senate who is known to be a coward in this respect?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ORDER FOR UNFINISHED BUSINESS TO BE LAID BEFORE THE SENATE AT CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the morning business is concluded the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Is there further morning business?

## COTTON ACREAGE

Mr. STENNIS. Mr. President, in the morning hour, I ask unanimous consent that I may speak for 7 minutes on the subject of cotton acreage.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, the Senator from Mississippi may proceed.

Mr. STENNIS. Mr. President, since the calendar year 1953, under acreage controls our cotton farmers have sustained a severe and drastic 40 percent reduction in cotton acreage. With a 28.3 million planted acreage in 1953, our national cotton allotment has now dropped to 17.4 million acres.

Under a provision of the 1956 farm bill, cotton acreage was frozen at the 1956 level for the calendar years 1957 and 1958. This was an effective stopgap measure. However, without new legislation at this session, cotton acreage will be cut an additional 20 percent for the calendar year 1959. Such a reduction can mean only disaster to large numbers of cotton farm families who cannot possibly survive further acreage cuts.

Mr. President, I have in my hand a table prepared by the Department of Agriculture which shows the size of allotments which were set for farms, the percentage of farms by size allotment, and the number of farms by size allotment. I ask unanimous consent that the table be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE A.—*Estimated farms in United States with cotton allotments according to size of allotments, 1956* [1]

| Size of allotment | Percent farms by size allotment | Number of farms by size allotment |
|---|---|---|
| 0 to 4.9 acres | 37.4 | 354,576 |
| 5.0 to 14.9 acres | 35.6 | 337,510 |
| 15.0 to 29.9 acres | 13.4 | 127,040 |
| 30.0 to 49.9 acres | 5.9 | 55,936 |
| 50.0 to 99.9 acres | 5.0 | 47,403 |
| 100 and over acres | 2.7 | 25,598 |
| Total, United States | 100.0 | 948,063 |

[1] Estimated by Cotton Division, CSS (Notice CN-108), USDA.

Mr. STENNIS. Thus we see that 73 percent of all cotton farms in the Nation are already cut to an allotment of less than 15 acres.

I desire to give a few further brief figures, Mr. President. The average 5-acre cotton farmer does well to produce five bales of cotton thereon. He will realize a profit of from $250 to $300 on this cotton which is his "cash crop." He will grow most of his food, and with some other source of income will manage to make a living. But if his cotton acreage is cut further, even though he may own the place, he is forced off the land and from his home.

### PRODUCTION COSTS

For a better understanding of the cost of production of small farmers, I quote from the United States Department of Agriculture publication, Farm Costs and Returns, 1956. Here are the key costs and returns figures for a typical cotton farmer with 12 acres of cotton in the delta area of Mississippi for the 1956 crop year.

I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Cotton farm (small, delta)—Costs and returns, 1956*

| | |
|---|---|
| Land in farm (acreage) | 57 |
| Cropland harvested (acreage) | 33 |
| Crops harvested: | |
| Cotton acreage | 12 |
| Corn acreage | 7 |
| Soybeans acreage | 11 |
| Hay acreage | 3 |
| Total farm capital | $11,460.00 |
| Cash receipts | 3,169.00 |
| Cash expenditures | −2,132.00 |
| Net cash farm income | 1,037.00 |
| Additional income | 500.00 |
| Change in inventory | +123.00 |
| Net farm income | 1,666.00 |
| Charge for capital | −647.00 |
| Return to operator and family labor | $1,013.00 |
| Purchasing power of family labor, 1937–41 dollars | 447.00 |
| Return per hour in current dollars | .41 |

(Source: Excerpts from Farm Costs and Returns, 1956).

(USDA Agricultural Information Bulletin No. 176, June 1957.)

Mr. STENNIS. It is mandatory that the Congress take notice of this threatened major disaster immediately, and that the necessary legislation be passed to avoid it. No relief program is required, and I do not call for any giveaway or handout. The situation can be met, at least partly, with simple legislation providing for freezing cotton acreage at least at the 1958 level.

This is not a political question. It is a serious, major national problem. The future of many of our people is at stake. It is not a sectional or a geographical problem, although the problem is far more serious in the Midsouth and the Southeastern States than elsewhere. The extreme hardships suffered there from drastic acreage cuts is greater than elsewhere. We cannot stand further acreage reductions.

The latest available figures indicate that in the 16 major cotton-producing States there are a total of 863,200 cotton farms and a total of 4,051,300 people who live on these farms, depending on cotton farming as a way of life. The actual survival and future of these families depend in a great measure upon what is done about cotton acreage allotments.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks another table, showing the estimated number of farms growing cotton and the estimated cotton farm population by States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE B.—*Table showing estimated number farms growing cotton and estimated cotton farm population by States*

[In thousands]

| State | Estimated farms growing cotton, 1954 | Estimated population on farms growing cotton, 1954 |
|---|---|---|
| Alabama | 106.6 | 506.4 |
| Arizona | 2.7 | 21.9 |
| Arkansas | 67.8 | 311.9 |
| California | 9.8 | 48.0 |
| Florida | 5.6 | 25.2 |
| Georgia | 79.0 | 410.8 |
| Louisiana | 51.3 | 251.4 |
| Mississippi | 156.3 | 672.1 |
| Missouri | 13.7 | 54.8 |
| New Mexico | 3.4 | 20.4 |
| North Carolina | 77.3 | 394.2 |
| Oklahoma | 26.8 | 109.9 |
| South Carolina | 76.1 | 410.9 |
| Tennessee | 56.4 | 260.8 |
| Texas | 126.0 | 529.2 |
| Virginia | 4.4 | 23.3 |
| Total, 16 States | 863.2 | 4,051.4 |

NOTE.—The above table is calculated on basis of U. S. Census figures, 1954.

Mr. STENNIS. Mr. President, it is evident from this table that 98.1 percent of the farm units are in the Midsouth and the southeastern part of the Nation.

In the same area we find 97.7 percent of the cotton-farm population.

I emphasize that fact, because it is in this area where the people live on the land and where the making of a cotton crop, even though it may be small, is the major source of their income—their cash income—and in many instances it is almost the sole source of their cash income.

Mr. President, I have in my hand another table which will give the Senate information as to the number of farms producing cotton, State by State, broken down as to size of cotton allotments. I ask unanimous consent to have the table printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE C.—*Upland cotton: Estimated percent of total farms with allotments according to size groups, 1956* [1]

| State | Total number of farms | Percent of farms receiving allotments of— | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | 0 to 4.9 acres | 5 to 14.9 acres | 15 to 29.9 acres | 30 to 49.9 acres | 50 to 99.9 acres | 100 to 499.9 acres | 500 to 999.9 acres [2] | 1,000 acres and over [2] |
| Alabama | 117,726 | 46.4 | 42.5 | 7.4 | 2.1 | 1.2 | 0.4 | 0 | |
| Arizona | 3,634 | 4.6 | 18.1 | 17.8 | 15.1 | 18.1 | 24.5 | 1.6 | 0.2 |
| Arkansas | 61,830 | 23.6 | 44.5 | 16.9 | 6.1 | 4.8 | 3.7 | .4 | |
| California | 14,416 | 6.5 | 31.4 | 32.7 | 9.0 | 10.4 | 8.8 | .9 | .3 |
| Florida | 8,324 | 72.9 | 24.6 | 1.6 | .8 | .1 | | | |
| Georgia | 85,203 | 41.5 | 42.1 | 10.5 | 3.3 | 1.9 | .7 | | |
| Illinois | 457 | 63.0 | 30.4 | 4.4 | 2.2 | | | | |
| Kansas | 4 | 50.0 | 50.0 | | | | | | |
| Kentucky | 1,078 | 81.6 | 11.9 | 2.8 | 3.7 | | | | |
| Louisiana | 46,626 | 39.2 | 44.4 | 9.7 | 3.0 | 2.0 | 1.6 | .1 | |
| Maryland | 1 | | | 100.0 | | | | | |
| Mississippi | 112,128 | 47.8 | 36.8 | 8.5 | 2.6 | 2.0 | 2.2 | .1 | 0 |
| Missouri | 16,222 | 24.4 | 36.1 | 21.5 | 8.2 | 6.7 | 2.9 | .1 | .1 |
| Nevada | 17 | | | 50.0 | | | | 50.0 | |
| New Mexico | 5,617 | 14.6 | 32.3 | 21.8 | 12.9 | 13.6 | 4.8 | | |
| North Carolina | 87,110 | 70.6 | 23.2 | 4.4 | 1.2 | .5 | .1 | | |
| Oklahoma | 45,107 | 15.2 | 46.3 | 21.1 | 10.6 | 6.0 | .8 | | |
| South Carolina | 72,787 | 51.5 | 34.4 | 8.6 | 3.0 | 1.8 | .7 | | |
| Tennessee | 64,252 | 51.9 | 34.1 | 9.0 | 2.8 | 1.5 | .7 | | |
| Texas | 198,887 | 10.1 | 29.4 | 24.6 | 14.4 | 14.2 | 7.1 | .2 | 0 |
| Virginia | 6,637 | 90.7 | 8.2 | 1.1 | | | | | |
| United States total | 948,063 | 37.4 | 35.6 | 13.4 | 5.9 | 5.0 | 2.6 | .1 | 0 |

[1] Estimated number of farms in each size group based on a tabulation of a 10-percent sample of old cotton farms for which 1956 allotments were originally established prepared in accordance with specific instructions issued by the Cotton Division CSS (Notice CN-108). The sample does not take into account subsequent changes in farm allotments due to corrections, reconstitution of farms, etc.

[2] Because of the small number of farms in these size groups, a 10-percent sample of farms may not provide a basis for determining a reliable estimate for the State of the number of farms in these 2 groups.

Mr. STENNIS. These charts show that we are not dealing with theories, but with human beings. They are our people. This large group are directly concerned. They actually live on their farms and make their living growing cotton. Their fate depends directly on what we, the Congress, do in meeting this national problem. We must not ignore their plight.

This is the one group in our Nation's history who have been truly independent and self-sustaining. They do not expect, nor are they asking for any handout. To the contrary, they ask only for a chance to remain on their land and to make a living. They must have this chance.

This group, Mr. President, has no unemployment compensation. It has no program which reaches out and sustains them. These people ask for the American privilege of living on and working on their land and making their own living.

Some of the proposals for new legislation now pending provide for the scheduled 1959 cotton acreage cuts to go into effect, but with the additional proviso that each producer who would agree to a lower level of price support would then receive a bonus in acreage.

If acreage above the 1958 allotments is needed for a sound cotton economy, then all producers should share alike in this additional acreage. If we are to present a choice plan to the farmer, then it must be a real choice.

This is fair, just, and right.

Any plan that takes acres away from one farmer and gives them to another is not a real choice. We must start with the basic premise that no farmer will be forced to take a cut in his present acreage allotment.

Any plan for a generous increase in acres for some producers will only run up our cotton surplus within a year or two, and thus depress the price, and reduce the acreage allotments in future years. Thus, under such a plan, all cotton producers—both large and small—will lose in the long run.

Mr. President, I am not one of those who feel it is impossible to enact a law preserving our present cotton acreage because some individuals or groups may be opposed.

Differences of opinion among farm groups must not deter us from an all-out effort to pass legislation which will avoid scheduled acreage reductions in 1959, at the same time provide a plan which is fair to all producers.

Nor should we be deterred because the Department of Agriculture does not agree to this proposed legislation at this point.

First, we must determine what is fair and right, and work to that end.

I am fully satisfied that the only fair and just way to meet this situation is to let all producers share equally in any acreage increase, as well as share equally in any decrease in price support. Specifically, I propose that the 1958 acreage allotments be continued, with the guarantee that all producers will receive the same allotments as in 1958. To get this provision enacted, if necessary, I would agree to a reasonable lowering of the price support.

If it is proven that acreage over and above the 1958 allotment is necessary for a sound cotton economy, then let this additional acreage be shared by all producers on the basis of their present allotments. Any decrease in price-support levels, if necessary, should also be shared equally by all producers.

Certainly the views of all groups are invited and must be fully considered.

But after all, Mr. President, the only ones who have the power to do anything about our cotton acreage problem for 1959 and the years thereafter are the Members of the House, the Members of the Senate and the President of the United States. It is our direct responsibility. Our people are looking to us to find a solution. They expect of us our very best efforts, and rightfully so, because they have entrusted us with the power to act for them.

We have the facts. It is our responsibility to use these facts in our efforts to obtain results.

I make these proposals:

First. That we continue our efforts and personally confer with every Member of the House and every Member of the Senate who is not fully familiar with the seriousness of our problem. Let them know the tremendous burden which will be inflicted on our people, as well as on the economy of the entire Nation, unless something is done to relieve the problem.

Once our colleagues know the facts and know of the personal hardships that will be endured by such a large group of our people, I believe the great majority will respond and cooperate in the passage of needed legislation.

Second. That a small committee of Members of the Congress from the affected area, who are thoroughly familiar with the plight of our cotton farmers, present this problem directly to the President of the United States in a personal conference. They should sit down with him and discuss the entire situation frankly and fully, so that he may understand, as we do, that no real alternative exists.

This is not a matter of going over Mr. Benson's head. It is a question of presenting the distressing situation of our people to the one man in the executive branch of the Government who must give the final "yes" or "no." It is a matter of having the problem explained to him by those who know it best, the ones who live with it.

I am thinking in terms of a quiet discussion of this serious problem with the President by a very few leaders in the Congress in responsible positions who know the problem fully. Naturally, I would think of the Senator from Louisiana [Mr. ELLENDER] and Representative COOLEY, of North Carolina, chairmen, respectively, of the Senate and House committees which deal with agriculture.

I also have in mind the Senator from Georgia [Mr. RUSSELL]. The Senator from Georgia was a Member of the Senate in the days before there was a farm program. He has taken an active part

in the enactment of every single phase of the present farm program. The mention of these names does not exclude others. We have many men who are eminently qualified to present this special problem to the President.

An error we have made in the past has been our failure to bring to the personal attention of the President the full facts on special major problems affecting millions of people. The President has evidenced his concern in such major problems by his personal visits to the flooded areas of the West and his visits to the drought-stricken areas in years past.

Certainly, there is impending for 1959 a severe "drought" of cotton acres which will directly affect 4 million people with distressing results.

I believe such a mission will be successful and that it should be undertaken. Once he has the facts, I believe the President will sweep aside fancy theories and extend this urgently needed relief.

One further word:

We are dealing with the problems and the livelihood of millions of our farm people. But this does not begin to tell the full story. If our cotton farmers are forced to take further acreage cuts, in any amount, then the entire economy of the Nation will suffer.

Any further acreage reduction, causing reduced farm activity as well as reduced farm income, will drive many of our farmers from the land. Not only will the farmer himself be destroyed, but we will destroy the trade and traffic in all farm supplies, including seed, fertilizer, machinery, fuel, labor, ginning and other processing operations.

Many more of our small communities will disappear completely.

Further acreage cuts will be the mortal blow.

If any more of our people are forced to leave their land and drift away to towns and cities, there to join the swelling ranks of the unemployed, only disastrous results can follow.

My remarks have been directed solely to the acute and distressing situation as to cotton acreage, and the even greater distress and disaster that will come in 1959 unless we pass favorable legislation at this session. I am not unmindful, however, of the problems which face other basic commodities, and stand ready to take up the cudgel in behalf of needed legislation.

And now a brief summary:

First. Cotton-acreage allotments have already been reduced to the minimum from the standpoint of the individual as well as the economy of the community.

Second. Unless legislation is passed at this session present acreage allotments will be automatically reduced by approximately an additional 20 percent for 1959.

Third. We must avoid any further acreage cuts. All producers must be assured of at least their present acreage allotments. If a moderately lower price-support level is necessary to avoid this acreage loss, we could yield some on this point.

Fourth. If additional acreage is to be added for 1959, all producers should share alike in the increase and on any price-support reductions necessary.

Fifth. I recommend that a small committee, composed of a very few Members of Congress from the affected area, confer informally with the President and advise him fully as to the problem and the consequences if something is not done immediately to solve this problem. Such a mission has much chance to bring fruit and it should be undertaken.

I make this personal appeal to every Member of the Senate:

This question of cotton-acreage allotments is not solely an economic question. It is both an economic and a social question. It directly affects almost a million families, over four million people. I ask every Member of Congress to withhold final judgment on this matter until all the relevant facts are made clear. These farmers represent a large segment of our remaining independent self-supporting, nonregimented American citizens. Our family farmers should not be liquidated by Congressional act. This is happening now, and we must adopt new cotton legislation during this session to turn the tide. We must preserve the future of these millions of people who live on the farm, and at the same time preserve a sound economy for the Nation.

Mr. YARBOROUGH. Mr. President, will the Senator from Mississippi yield?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Mississippi yield to the Senator from Texas?

Mr. STENNIS. I am glad to yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I commend the distinguished Senator from Mississippi for bringing this matter to the attention of the Senate in such a forceful manner. Representing, in part, as I do, a State which produces more cotton than any other State—cotton being the second largest producer of income to my State—a State with more farm families and more families engaged in cotton farming than any other State, I am appreciative of the great leadership offered by the Senator from Mississippi. I hope the Senate will listen carefully to the words of this outstanding agricultural authority in the Senate and that we shall move, with him, to try to preserve the agricultural production of the Nation, particularly the cotton production.

In the history of the United States for given periods of time cotton was the item which brought in the most income for the whole United States of America. Our historic position as a great producer of cotton should not, in my opinion, be frittered away by unwise regulations made by those wholly unfamiliar with the problems of the cotton growing segment of our population.

Mr. STENNIS. I thank the Senator very much for his extremely generous words and for his interest in this subject. I know the Senator from Texas has worked diligently on the matter and is making a very fine contribution in the seeking of a solution to the problem.

Mr. President, I yield the floor.

## TRIBUTE TO SENATOR JOHNSON OF TEXAS

Mr. NEUBERGER. Mr. President, as this tense and eventful session of Congress nears an end, the majority leader of the Senate encounters innumerable difficulties in trying to ameliorate and adjust all the points of view under his command. A thoughtful and understanding article about the Senate's able majority leader, LYNDON B. JOHNSON, of Texas, was published in the Washington Evening Star of June 13, 1958, by the distinguished syndicated columnist William S. White, a winner of the Pulitzer prize for biography. I ask unanimous consent that this column by William S. White, entitled "JOHNSON, the Ablest Leader," be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHNSON, THE ABLEST LEADER—TEXAS DEMOCRAT VIEWED AS HAVING STRIKES AGAINST HIM ON PRESIDENCY

(By William S. White)

On the plain test of getting things done, LYNDON B. JOHNSON, of Texas, is the ablest Senate majority leader in many decades. This is the reluctant estimate even of those who do not like him, his ideas or policies.

As a man, Senator JOHNSON is at times a hard-as-nails handful. Like most brilliant people, he suffers fools only in excessively frank, eye-rolling pain and impatience. He has great practicality, and again great sentimentality; a very demanding approach, and again a very considerate approach.

He is, in short, a genius in politics, or at least in parliamentary politics. His conduct is unpredictable in its details, and often brusquely so. But his achievements in general are so extraordinary as to make him, if this one measure be used, almost unarguably the outstanding Democrat in the country today.

In his forum and in his field—that is, in the Senate and in legislation—he could master any half dozen of his rivals all at once without raising any great sweat.

He could never do this by speaking; he is an indifferent orator—but a good listener when he wants to be. He could do it—and many times has—through his peculiar talent of personal negotiation and persuasion.

It is an almost indescribable kind of persuasion in which Senator JOHNSON is perfectly capable of having his way, either by cajoling the person with whom he is dealing or by simply ordering him, in a way both pointblank and kindly, to do as he is told.

To have a face-to-face go-round with him at the top of his form is to undergo a dizzying series of personal experiences. Miss Mary McGrory of the Washington Star has coined for this process the term "the Lyndon Johnson A treatment." It must be experienced to be appreciated; it is no good trying to illustrate it.

But it is possible to say with some confidence that if Senator JOHNSON ever should meet Nikita Khrushchev, say, ordinary charity would require a small sigh of half-compassion for a hapless Russian.

Through the "A treatment," or lesser variations of it, Senator JOHNSON has solidified the Democratic party in the Senate into an organism of massive power where it used to be a collection of competing blocs.

Most any leader can sell his plans and purposes if, like a door-to-door salesman, he cuts his prices on demand. But the Senator never cuts his prices. More likely, he coolly raises them—and the other fellow somehow feels, all the same, that he is getting the better of it.

Thus, Senator JOHNSON has Democratic isolationists voting for foreign aid, and deep southern Senators accepting civil rights bills.

It is this very success, however, that brings to him most of the criticism that comes from advanced Democratic liberals. They put him down as a crass "operator"—and then call for his help on their own designs. They suggest that he lacks political conviction.

He was an early protege of Franklin D. Roosevelt and some of his intimate friends are old Roosevelt New Deal liberals—men like Tom Corcoran, Ben Cohen, Abe Fortas, and James Rowe, Jr.

Most of the newer Democratic liberals are far from the Johnson camp. But many of the older liberals—the Rowes, Corcorans, and so on—entirely understand his operating premise. This is that attitudes of fight, fight, fight don't carry you very far unless you have the troops—and that you can't keep enough troops without compromise sometimes.

Deeply sensitive to every form of criticism, Senator JOHNSON is excessively sensitive to it from any liberal source. It is a state of mind that is not helped by his awareness of the fact that he has been of more practical service to some liberal causes—public power and public housing among them—than have most of his detractors put together.

And as a pro he has none of the emotional approach of most of the advanced liberals. They think in visions of crusades; Senator JOHNSON thinks in terms of votes. They see him as a straddler. He sees them as shrilly insisting upon the impossible rather than sensibly settling for the possible.

Senator JOHNSON, a tall, rangy man with a ranch background, is far more western than southern. Nevertheless, Texas is historically a Confederate State. This fact powerfully works against the possibility that the Democratic Convention of 1960 would ever give him what he insists—sometimes with loud, unprintable Texanisms—he does not want anyhow: The Presidential nomination.

Too, he is popularly identified—though to an exaggerated degree, as it happens—with the Texas oil and gas millionaires. And in 1955 he suffered a heart attack. Finally, there is no guaranty, of course, that his legislative skill could be translated into the administrative skill needed in the White House.

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## ARE WE SWATTING FLIES OR DRAINING THE SWAMP IN THE SHERMAN ADAMS CASE?

Mr. NEUBERGER. Mr. President, I ask unanimous consent that I may address the Senate for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NEUBERGER. Mr. President, I believe it is time to place in perspective the episode involving Sherman Adams.

I believe that, in the context of modern American politics, Sherman Adams is only the latest scapegoat—like Col. Harry Vaughn before him—for a national course of conduct which has become commonplace and accepted in this country.

Sherman Adams is the victim of a system under which the spending of large sums of money on politics and politicians is virtually taken for granted among substantial segments of our society. He may not have been an innocent victim. I do not condone his conduct. But I think we should be honest and realistic in appraising it.

After all, it is not so long ago that the acceptance by a prominent politician of an $18,000 expense fund from real-estate and oil operators was turned into a personal triumph over a nationally broadcast television program. Do the gifts to Sherman Adams, about which we have heard so much, add up to a fraction of $18,000?

What is our premise about the obligations that are attached to gifts? Do we criticize Mr. Adams because he sought information from regulatory agencies in cases involving his friend, Mr. Goldfine, or do we criticize him because he accepted gifts and hotel suites from Mr. Goldfine?

When Sherman Adams committed his errors of judgment in doing favors for his friend, the public is being left to infer that he did this because of Mr. Goldfine's vicuna coats and hotel suites. Yet is Sherman Adams any more indebted to Mr. Goldfine for gifts than a man who sits in the Senate or in a governor's chair is indebted to those who collected $100,000 from big-business men or from trade-union political-education funds to pay for his campaign expenses?

Is Sherman Adams, with his $2,400 rug and $700 vicuna cloth coat more obligated to render unethical favors than is a Member of Congress who is dependent every few years on 20 times that amount from bankers, natural-gas and private-utility owners, and distillery executives to finance his billboards and radio and TV shows? What is the difference between one gift and another?

What is morality in government? Was it virtue for utility stockholders to contribute enormous sums to the Eisenhower campaigns, and then for the President's assistant, Sherman Adams, to call the SEC to postpone a crucial hearing in the Dixon-Yates case—but immorality for the same Sherman Adams to inquire from the SEC about the case of Mr. Goldfine, from whom he had received a $2,400 rug?

When Sherman Adams exercises the influence of the White House on the Department of the Interior, the Bureau of the Budget, and the FPC to dispose of the Hells Canyon power site to the private-utility interests who did so much for the Republican campaigns, is that merely the honest execution of national policy—but corruption if Sherman Adams phones the FTC for his old friend Mr. Goldfine, who had given him a vicuna coat? Does this not prove the wisdom of the old verse which goes:

> The law locks up both man and woman
> Who steals the goose from off the common
> But lets the greater felon loose
> Who steals the common from the goose.

### PRESIDENT RECOGNIZES SAME FACTS

At his press conference last Wednesday, President Eisenhower himself was perfectly right in drawing attention to the contrast between really minor personal gifts and the vast funds which are customarily collected to further the political careers of almost everyone in American politics. I spoke last Thursday about my letter to the President, in which I expressed my agreement with him on this subject. Is this not the only realistic context in which to discuss the problems of money and morality in American politics? And is this not a context which should steer us away from too much smugness in these repeated pursuits of gifts and favors among executive leaders?

Is it morality for a Senator to collect $500 or $1,000 speaking fees from many labor unions or liberal groups and then to oppose a Federal right-to-work law—but immorality for Col. Harry Vaughan at the White House to be given a deep freeze?

Is it morality for oil and gas tycoons to stage great benefit dinners to collect hundreds of thousands of dollars for the campaigns of Members of Congress in distant States who will vote to lift Federal control from offshore-oil deposits or from natural-gas prices—but immorality for Sherman Adams to sign a hotel bill to the account of his friend Mr. Goldfine?

Could it be, Mr. President, that the taint of corruption attaches to the specific form of the benefaction, and not to its value?

Why is it that great and unctuous breast-beating rises in Congress when there are tangible gifts involved, such as rugs or hotel bills or deep freezes or coats—mink or vicuna—but strange silence about a $30-million campaign exchequer to elect a President or a one-half million dollar fund to put a Senator in office?

Is there a feeling that the public will understand coats and vacation trips and household furnishings, but is indifferent to colossal sums of money?

Surely some great historians of the future will be perplexed by the fact that some persons in Government during our era encountered grave embarrassment over the acceptance of kitchenware and hotel accommodations, while their brethren in high places were acclaimed as heroes for successfully employing campaign exchequers and personal-expense funds that dwarfed the other gifts in value. Could it be because a piece of furniture is more tangible than a bag of currency?

Again I say, Mr. President, let us scrutinize the assumptions and the major premise behind all this righteous indignation. I repeat, I am not speaking in defense of Sherman Adams—for, whatever may have been his other sins, he has certainly been among the most self-righteous of all with respect to the question of ethics in government. But Sherman Adams' many accusers proceed on the premise that, having accepted a rug and numerous hotel-bill payments, he inevitably was in moral bondage to Mr. Goldfine and had to do Mr. Goldfine's bidding. Do any of these accusers confront the question whether, having accepted campaign funds from, for instance, the automobile industry, they must do that industry's bidding on legislative matters? Or, having accepted campaign funds from labor, must they do labor's bidding when the roll is called in Senate or House?

In none of the questions I have raised in this brief speech am I referring to any individual Member of Congress. This is not an individual matter. Every person in American public life is trapped

by a system which has encouraged the dominance of money in elections, which has permitted or even required public office to be placed on the auction block like a jewelry bauble—to be carried off by the highest bidder.

Congress has traditionally taken unto itself the vital role of watchdog over executive officers. Yet is morality divisible? The author of the Sermon on the Mount thought that it was not. He laid down a principle of universality of conduct which has stirred mankind ever since. He said:

Verily I say unto you, inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me (Matthew 25, v. 40).

WHAT MOTIVES ARE MORE IMPORTANT

Mr. President, public officials may act honestly or meanly, in the best public interest or on behalf of special privilege. Does it make sense to assume that in their actions they will be motivated by insignificant personal gifts, but not by the past or future campaign treasuries upon which their power depends? To assume this is to place the collection of a few gadgets and luxuries as a motive of human conduct above the ambition for success in a public career, for national stature, for power to affect public policy in a measure that no coat or rug or deep freeze can equal.

In our political system today, Mr. President, the cost of such power and such ambition comes high. It is hardly to be compared with Mr. Goldfine's occasional largess toward his old friends. For example, it has been estimated by responsible scholars, and by journals of information and public opinion, that some $200 million was spent in 1956 to elect public officials to high offices throughout our Nation. Until we do something about this, we shall be swatting flies instead of draining the swamp.

REFORMS PROPOSED

I have long advocated two proposals which I believe will ultimately be the tests of the sincerity of Congressional critics of Sherman Adams and such of his predecessors as Colonel Vaughn—be they on this or the other side of the aisle.

First, there are the proposals which I presented to the McClellan committee on lobbying and campaign expenditures, at the time of the studies which grew out of the attempted $2,500 campaign contribution from natural-gas interests to the junior Senator from South Dakota [Mr. CASE]. These proposals would eliminate the present unhealthy and undesirable reliance on huge privately collected campaign funds by having major essential expenditures for all Federal candidates underwritten by the Federal Government, as President Theodore Roosevelt recommended to Congress as early as 1907.

Second, there are the proposals of my bill, S. 3979, to apply equal conflicts-of-interest principles to Members of Congress and to executive officials and to provide for disclosure of gifts and outside income.

Until Congress is willing to come to grips with proposals such as these—which go to the crux of the relationship of money to politics in America, not only for the executive but for Congress itself—and until some reforms such as these are enacted into law, rather than languishing unheard and unnoticed in committees, the recurring shrill denunciations in cases such as that of Harry Vaughn or Sherman Adams will, I fear, seem insincere and hypocritical to many thoughtful students of our public affairs.

In conclusion, Mr. President, I ask unanimous consent to include with my remarks a thoughtful and informative article from the Washington Post and Times Herald of June 22, entitled "Some Gifts Always Cost More Than Their Price." The author of the article, Mr. J. R. Wiggins, executive editor of the Washington Post, has tried to place in perspective the gifts and presents which are often showered on personages in public authority and power. I commend his cogent analysis to those who regard this problem as something to be decided by partisan speeches or political invective.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

There is no gift a grateful constituent can give a public man that will be worth as much to him as the ability to say truthfully that no gift was ever given him.

Sherman Adams today no doubt would be the first to subscribe to this view. This admonition ought to head any manual describing the ethics of gift giving to those in public life.

Views on the subject, however, have been almost as many as the men who have held public office. Most official views lie somewhere between those of Thomas Jefferson and those of Ulysses S. Grant.

Thomas Jefferson paid for gift of Cheshire cheese by the pound, and turned over to the Government the stud fees obtained from an Arabian stallion given him by a foreign government. General Grant accepted almost anything offered him, without a qualm.

Political safety clearly lies in turning down all gifts. It is hard to find a safe and clear line anywhere short of that drastic and clearly discernible prohibition.

President Eisenhower's statement of the differences between bribes and friendly gifts may be a fair definition legally, but, unfortunately, gifts can be dangerous to public policy in whatever friendly instincts and selfless purposes they originate. And even gifts can have other purposes and objects.

GRATEFUL GRANT

Gifts and not bribes, as such, fouled up General Grant who was, by his own lights and by many other standards, an honest man. Of him, Parrington has said:

"He was a materialistic hero of a materialistic generation. He was dazzled by wealth and power, and after years of bitter poverty he sat down in the lap of luxury with huge content. He took what the gods sent, and if houses and fast horses and wines and cigars were showered upon him he accepted them as a child would accept gifts from a fairy godmother. He had had enough of skimping meanness; with his generation he wanted to slough off the drabness of the frontier; he wanted the good things of life that had so long been denied him, and he was not scrupulous about looking a gift horse in the mouth.

"He sought out the company of rich men. He was never happier than when enjoying the luxury of Jay Cooke's mansion in Philadelphia or riding with A. T. Stewart in Central Park. * * * He accepted gifts with both hands, and he seems never to have suspected the price that would be exacted of the President for the presents to the general.

"He never realized how great a bill was sent to the American people for the wine he drank or the cigars he smoked with his wealthy hosts; yet if the wine had been molten gold and the cigars platinum they would have been far cheaper.

THE PRICE OF FREE CIGARS

"In return for a few boxes of choice Havanas, Jay Cooke laid his hands on millions of acres of western lands for the Northern Pacific Railroad. It was the way of the gilded age, and Grant was only doing what all his friends and associates were doing. If he accepted a $50,000 house in Philadelphia, his comrade, General Sherman, accepted a $100,000 house in Washington. Such gifts were not bribes; they were open and aboveboard; it was a free and easy way of the times. What the age was careless about is the fact that it is hard to refuse a reasonable request from one's fairy godmother, and what the general never understood is that if one is President, such a godmother is certain to be a very dangerous member of the family."

No, the distinction between gifts and bribes, so far as the public risks are involved, is not so easily made. Both can menace the public welfare and the reputation of recipients—different as they may be legally and morally.

HARD CHOICE

What is the public man to do? Citizens of all descriptions, old friends of younger days and utter strangers alike, press about him, gifts in hand. They wish to honor the office he graces. They desire to show their good will. They seek to draw notice to themselves. They hope to advertise a product. They are anxious to publicize a good cause. Perhaps some of them wish to buy influence * * * but which ones? What is a public man to do?

Turning down all gifts is not easy. The rejection of a gift carries with it an implied reproach to the would-be donor; it is as much as to say that the sought-for object is influence or bribery. Or the rejection of a modest gift may chill the warmth which ought to prevail between the people and elected servants. Or a stiff and stuffy declination of an accustomed exchange between friends may make public life a dreary affair indeed. Worse yet, the hospitality that would not be questioned in other circumstances may become as dangerous as gifts of greater value.

Perhaps it could be safely said, however, that the danger varies in direct proportion as the gift's value varies; and in the same degree that the donor's opportunity to profit by favor varies. The safest gift is the gift of no intrinsic value given by the citizen who has nothing to gain from governmental favor; the most dangerous, the gift of great value from a citizen who has a greal deal to gain as a litigant or as a supplicant for governmental favor.

The danger differs, in addition, in accordance with the publicity and the secrecy attending the gift. Gifts by groups of citizens and associations of firms probably are less objectionable than gifts by individuals and individual companies.

The White House is plagued by thousands of gifts, more calculated to reward the donor by publicity than to gratify the recipient, and these are hardly open to the objections that lie against gifts of other kinds. Where they are not of great value, however, they often are of such a commercial nature that the dignity of the Government would be better served if they were banned. Where they are of substantial value they may be inappropriate on that ground alone.

The Presidency has another sort of gift with which to cope—that conferred by one

head of state upon another. Most of the time, embarrassment on this count can be escaped by making the gift the property of the Nation—as many of the Presidents have done.

There is one kind of gift which surely is not at all objectionable, the gift to be used in public institutions: furniture and chandeliers for public buildings, rugs for public places. The White House has many such gifts and they reflect no discredit either on the Presidents who have received them or the private persons who have donated them. Here is one way of showing respect for the office and its temporary tenant that is without reproach.

Can troublesome gifts be stopped by law or by Executive order? The idea has been entertained. The statutes, of course, cover outright corruption and bribery as well as gifts which Congress has deemed inappropriate (originating with foreign governments). Perhaps, but not all gifts to public men are as simple and straightforward as those Sherman Adams received.

What about the gift of social standing and prestige? How could it be outlawed? What about the gift that may consist of lucrative private jobs for relatives or for friends? What about the gift which is no more tangible than the expectation of a soft berth after Government service—in case of political misfortune?

Congress has at least been worrying about its own special type of gift—the campaign contribution—and about the favors that Congressmen do to reward past contributions and recommend future ones.

Whatever laws are made or rules adopted, in future as in the past, much no doubt must be left to the conscience of the public man. Appropriate standards, in fact, may not always be exactly the same. Each public man helps build his public legend. His public has a right to insist that his public acts be in conformity with it. And he will feel the reproaches of national opinion as his acts are at variance with the legend, the image that he has helped construct.

Favors extended and received by a Jimmy Walker will not excite quite the same furor as those extended or received by a Sherman Adams.

Fundamentally, in a free and democratic society, the philosophical objection to exchanges of gifts between citizens and public servants arises in the favoritism and discrimination that such a relationship implies. Each citizen, in relation to officials, ought to stand on equal footing; but when one applicant for the attention of a public official is a citizen who has showered him with gifts and the other is a citizen who has given him nothing, there is a plain danger of discrimination.

Gifts, of course, are not the only things that endanger this equality. Long acquaintance, friendship, intimate association, old school ties, blood relation, and a hundred other aspects of life impair the ideal equality of all citizens before the laws and the men who administer the laws.

Gifts, however, are one conspicuous and avoidable menace to impartial administration of Government. They always will be looked upon with suspicion and uneasiness that rises as they increase in value to the recipient and in proportion as the donor is in a position to profit by favor.

There may be other public issues and concerns of great importance from which attention is momentarily diverted by such excursions as those into which the Harris committee has led the country.

This is not an unimportant matter, however. Citizens are properly concerned with the behavior of public men in those areas of everyday life where the common citizen is as good a judge of motives and purposes as the most favored citizen.

The people know, instinctively, that Jefferson was right when he said: "The whole art of government consists in the art of being honest." They are rightly anxious that the practice of the art marks their public affairs.

Mr. NEUBERGER. In addition, the leader of at least one major interest group in our country has indorsed the proposal made by Theodore Roosevelt half a century ago and which I have embodied in legislation. This man is Mr. George Meany, president of the AFL–CIO. In an editorial written for the April 1956 issue of the AFL–CIO American Federationist, Mr. Meany asked:

Might it not therefore, be a good idea for Congress to provide by law for Government financing of campaigns for Federal office, as proposed in S. 3242, a bill introduced by Senator RICHARD NEUBERGER and cosponsored by Senators MORSE, MURRAY, DOUGLAS, SPARKMAN, MANSFIELD, LANGER and HUMPHREY?

If Congress refused to adopt such a law, might it not then consider limiting all campaign contributions to a maximum of $1?

Mr. Meany's attitude is heartening to me, and I ask unanimous consent that his editorial from the American Federationist be printed in the RECORD, along with my letter to him commenting on the editorial, which is dated March 29, 1956.

There being no objection, the letter and editorial were ordered to be printed in the RECORD, as follows:

MARCH 29, 1956.

Mr. GEORGE MEANY,
*President, AFL–CIO,*
*Washington, D. C.*

DEAR MR. MEANY: I was very pleased to see your kind reference to my bill for Federal assistance in campaign financing in your editorial in the American Federationist for April. As you recognize in your editorial, such a step will, in the long run, prove to be the only effective means of freeing our political parties and their candidates for public office from their present unhealthy reliance on vast private campaign funds.

In spite of efforts which are continually made to shift attention to the relatively modest campaign contributions collected by organized working people, your editorial position shows that labor itself recognizes that average men and women can never compete in this respect with the wealth of owners and managers of business enterprises, whose candidates for public office are invariably far better financed.

While I believe that President Theodore Roosevelt's proposal, as embodied in my bill, is the ultimate solution to the financing of modern election campaigns, I have introduced two more modest proposals which could be enacted in connection with clean-elections legislation this year. One of these would make federally paid radio and television broadcast time, worth up to $1 million, available equally to both major parties. The other would permit individual campaign contributions up to $10 a person to be taken as a tax credit (not a deduction from income) against Federal income taxes.

I hope that these two proposals, which are designed to bring more democratic means of financing and more equality to our electoral processes, will also win the support of your great organization.

Again, I appreciate the public-spirited and forward-looking interest which you have taken in the grave problem of election financing.

Sincerely yours,

RICHARD L. NEUBERGER,
*United States Senator.*

THE LOBBY PROBE

(By George Meany)

A special Senate committee has been authorized to undertake a full-scale investigation of political contributions by big business. This investigation was touched off by sensational disclosures regarding the lobbying activities of gas and oil interests. President Eisenhower found these activities so reprehensible that he vetoed the bill freeing natural gas producers from Federal price regulation on that very account.

The AFL–CIO heartily supports this Senate investigation. Despite the law forbidding political contributions by corporations, it is common knowledge in Washington that big business interests have financed political campaigns of individual candidates and political organizations through various legal loopholes.

Frequently these contributions have been made in the name of corporation executives and members of their families. It was not until Senator FRANCIS CASE, of South Dakota, told the Senate he had been offered a $2,500 campaign contribution by a lawyer representing a gas producer, in the expectation that the Senator would vote for the bill desired by the gas lobby, that the scandalous nature of big business influence upon the legislative process was brought forcibly to public attention.

Since the Senate investigation was authorized, it has been stated in the press that the committee would inquire into political contributions by labor organizations as well as big business. One of the committee members, Senator BARRY GOLDWATER, of Arizona, has publicly announced that he will insist that the investigation be broadened to include unions.

Labor welcomes such an investigation. The AFL–CIO, in accordance with the law, files with Congress a complete record of all funds it receives in $1 voluntary political contributions from its members and all expenditures from those funds. There is nothing secret in these activities, which are completely open and aboveboard.

Before the merger both the AFL and CIO maintained separate political committees which collected campaign contributions from members and made expenditures in behalf of candidates from both parties who received labor endorsements. Since the merger the AFL–CIO has established the committee on political education to carry on the same work.

We are proud of the records of these committees. With the help of State organizations, they have endorsed candidates for public office with outstanding records of public service.

Perhaps an attempt will be made to indicate that labor's campaign contributions to candidates, in the aggregate, matched those of business contributors. Such efforts will be doomed to failure, because the fact is that labor has never succeeded in raising by voluntary contributions more than a small fraction of the total amounts expended in any campaign.

It is to the best interests of democracy that the cost of campaigns be financed by as many voters as possible, because this helps to arouse the political consciousness and responsibility of the great masses of the American electorate. It is also obviously in the national interest to prevent a few large campaign contributors from dominating the selection and election of candidates for public office.

Might it not, therefore, be a good idea for Congress to provide by law for Government financing of campaigns for Federal office, as proposed in S. 3242, a bill introduced by Senator RICHARD NEUBERGER and cosponsored by Senators MORSE, MURRAY, DOUGLAS, SPARKMAN, MANSFIELD, LANGER, and HUMPHREY? If Congress refuses to adopt such a law, might it not then consider

limiting all campaign contributions to a maximum of $1?

Mr. NEUBERGER. I also ask unanimous consent that a report by the distinguished newsman, Roscoe Drummond, which appeared in the Oregon Journal of Portland, of June 11, 1958, be printed in the RECORD, along with an editorial from the New York Daily News of June 13, 1958, entitled "Gander Wants No Sauce." In addition, Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from the news broadcast of Mr. Eric Sevareid, the well-known news analyst on June 11, 1958. I further ask to include, from the Oregon Journal of June 16, 1958, an editorial entitled "Legislation Not the Answer."

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Oregon Journal, Portland, Oreg., of June 11, 1958]

BILL WOULD HAVE CONGRESS TAKE DOSE OF OWN MEDICINE

(By Roscoe Drummond)

WASHINGTON.—Senator RICHARD L. NEUBERGER, Democrat of Oregon, may not be adding to his popularity with his colleagues, but he is taking a step which can help the whole Federal Government.

In a bill he is introducing in the Senate this afternoon, Senator NEUBERGER is putting this simple and reasonable proposition to the Members of Congress: Take your own medicine—or else.

This all has to do with conflict of interest and that complex of laws designed to keep public officials from having private interests which could conflict with their public duty.

You will recall with what zest, virtue, even smugness Senate committees cross-examine executive appointees to see if their ownership holdings might at some time under some circumstances unduly influence a decision this official might be called upon to make. And if the mood of the Senate committee is that he better sell his stock, he better sell it whatever the effect on his company or on himself—or he will be off to a bad start.

But, somehow, during all these years of eagerly applying the conflict of interest law to others, members of Congress have never applied it to themselves.

Senator NEUBERGER rightly asks: Why not?

The case for applying the conflict of interest statutes to Congress is unexceptionable.

If a Defense Department official shouldn't make contracts with a company in which he has stock, should a Senator be free to make laws for a business in which he has an interest?

But he is free to do so—and he does.

Recently a Defense official was raked over the coals because, having something to do with ordering military uniforms, it was found that his wife was engaged in manufacturing uniforms. There are wives of Members of Congress who are engaged in business on which their husbands legislate.

Nothing is done about that.

A member of the Federal Communications Commission must not own radio or TV stock because he regulates the industry, but members of the Senate and House Committees on Interstate Commerce, in charge of legislation for the industry, can own radio and TV stock.

The Congressional conflict of interest is almost unending.

Members of Congress are engaged in the oil business and they vote legislation giving special tax provisions to the oil industry.

The are engaged in farming and they vote on farm subsidies.

They take legal fees from the railroads and legislate on railroads.

They are publishers and they vote on second-class postal rates for their publications.

They are lecturers and they take lecture fees from groups who are affected by their legislation.

They are lawyers and they make money from a wide range of clients who have a stake in legislation.

There is plenty of conflict of interest among Members of Congress. If conflict of interest can be guarded against by law—as Congress evidently thinks it can in the executive branch of Government—ought it not to be similarly guarded against in the legislative branch?

That's what Senator NEUBERGER is asking. It will be revealing to see how the Senate and House respond.

"I hold no brief for these existing conflict of interest statutes, which have been subjected to much criticism," Mr. NEUBERGER points out. "My immediate purpose is only to present the principle of equal treatment for elected and appointed officers of our Government and I do not wish to complicate this by simultaneously rewriting the existing rules."

In this area of conflict of interest it seems elemental that all ought to take the same medicine. If, for any reason, Congress is not prepared to take its own medicine, it ought to change the prescription.

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[From the New York Daily News of June 13, 1958]

GANDER WANTS NO SAUCE

To the surprise of few, if any, Washington dopesters give Senator RICHARD L. NEUBERGER's conflict-of-interest bill little chance of passing Congress.

The Oregon Democrat points out that officials in the Government's executive branch have to get rid of any business connections which might influence their official acts—remember former Defense Secretary Charles E. Wilson's General Motors stocks that he had to unload?

NEUBERGER'S RIGHT, BUT—

So, NEUBERGER, on the theory that what's sauce for the goose is sauce for the gander, has introduced a bill requiring Members of Congress to part company with stocks, properties, businesses, law clients, and so on, that might influence their votes.

He's right, of course; but if this gander consents to be garnished with this sauce, a near-miracle will have come to pass.

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CBS RADIO NEWS ANALYSIS FOR JUNE 11, 1958

(By Eric Sevareid)

Good evening. Henry Adams once wrote that people are always being deceived by the illusion that power in the hands of friends is an advantage to them. Mr. Sherman Adams, of the White House, has power in his hands, probably as much practical political power as anybody in the Capital. And he is the friend of Mr. Bernard Goldfine, of Boston, a man with various business irons in various fires. Question: Has Mr. Goldfine's friendship with Mr. Adams been an advantage to Mr. Goldfine, beyond the natural joys of friendship for its own sweet sake? Mr. Goldfine's lawyers say "No." Mr. Adams will say "No." Mr. Hagerty says Mr. Adams enjoys the President's confidence. The House subcommittee counsel implies that the hotel suites occupied by Mr. Adams, at, it says, Mr. Goldfine's expense, indicate that the answer to the question is, "Yes." The Capital awaits proof, whether or not Henry Adams' maxim pertains in this case.

Right in the middle of all this, just as everybody is bracing himself for another Congressional "orgy of morality," as Swinburne put it—(very handy thing, Bartlett's Quotations)—right in the middle of it all, Oregon's Senator NEUBERGER has committed something akin to booing the preacher. Mr. NEUBERGER seems to have a simple, logical mind, which will get him nowhere in politics.

He has raised a simple, logical point as shattering as that of the child who pointed out that the emperor had no clothes. How, he is saying, can Congressmen tear the liver and lights out of administration officials for mixing up their private business and their public duties, when Congressmen themselves do this all the time—dozens of them? The Senator is introducing a bill to apply the conflict-of-interest laws to Senators and Members of the House.

For, as Mr. Roscoe Drummond recalls for us, Congressmen who own oil and gas wells are always voting on oil and gas legislation; Congressmen who own newspapers vote on the postal-rate laws; Congressmen with farms devise and vote on farm subsidies, and so it goes. It's the old question—who's watching the watchmen? Congressmen, when pressed, usually answer this by declaring that the voters, the good people of the great State of, have passed upon their moral character, and there is no higher earthly judge. But somehow this sounds a bit weak.

Well, maybe Mr. NEUBERGER should go further and submit another bill (it will have about as much chance of passage as his present one), a bill based on the recommendation of the New York publisher, Mr. Alfred Knopf. For some weeks, Mr. Knopf has been proposing a permanent standing committee of leading citizens to investigate Congress; they wouldn't have the power of subpena, of course, unless Mr. NEUBERGER could fix that, but if they do things the way Congressional committees often do things, they could have great fun leaking accusations to the press and great fun watching the accusee trying to make his denial catch up with the accusation.

This is Eric Sevareid in Washington.

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[From the Oregon Journal, Portland, Oreg., of June 16, 1958]

LEGISLATION NOT THE ANSWER

We're not sure just what Senator RICHARD NEUBERGER had in mind when he introduced a bill which would apply the conflict-of-interest principle to Members of Congress.

It is doubtful Senator NEUBERGER believes his bill will become law—at least not at this session. If, however, his idea was to call to attention the double standard which Congress maintains on this issue and to spotlight some of the incongruities in the matter, then his mission already is accomplished.

Conflict-of-interest laws are those designed to prevent private interests of public officials from conflicting with the public duty which they are sworn to perform.

Roscoe Drummond, Journal columnist, recently noted "with what zest, virtue even smugness Senate committees cross-examine Executive appointees to see if thier ownership holdings might at some time under some circumstances unduly influence a decision this official might be called upon to make."

At the same time he also noted that Congressional conflict of interest is almost unending—Members who are engaged in the oil business who vote legislation giving special tax provisions to the oil industry, Members engaged in farming who vote on farm subsidies, Members who take legal fees from railroads and legislate on railroads and so on.

Then he asks why, if conflict of interest can be controlled by law, as Congress apparently thinks it can in the executive branch, it should not also be guarded in the legislative branch.

The question is perfectly legitimate. Conflict of interest has no more justification in Congress than it does on the Federal Communications Commission, the Defense Department, or other executive office.

But we doubt whether the answer to the problem lies in the field of legislation. If a Congressman or an executive-department appointee has it within him to use his position to further his personal interests, or those of his friends or clients in contravention of his sworn duty, then he will be a poor appointee or Congressman whether or not there is a conflict-of-interest law on the statute books.

The vigilant Senators required Charles E. Wilson, former Secretary of Defense, to dispose of his General Motors stock because that corporation had and was eligible for additional defense contracts. Yet the same Senators did not require Neil McElroy, former president of Procter & Gamble, to dispose of his stock in that corporation. Are the good Senators suggesting that members of our Armed Forces no longer take baths?

The problem is not unlike that involved in the picking of a jury. In the eyes of some attorneys, an unprejudiced juror is one who has never read anything, who has no friends or relatives, who has never done anything—in fact one whose mind is a total blank at the time the trial starts. We pray that our fate never rests in the hands of such a juror.

There are some rather obvious examples of what should not be done. We would not, for example, have appointed the late Al Capone to head up the FBI. Probably a broker of television stations would be better left off the Federal Communications Commission, and we would think it poor policy to appoint an avowed enemy of public power to a power agency.

But leaving aside the extremes, the conflict-of-interest laws fall into the category of attempts to achieve morality and ethical conduct through legislation. It can't be done.

Appoint and elect the best men available and then watch them like a hawk. No law will ever take the place of public vigilance.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield.

Mr. CLARK. I commend the Senator for the thought-provoking address he has just delivered, and I wish to associate myself with the sentiments he has expressed—and particularly to view with some alarms the failure of Members of Congress to understand the very difficult position in which they place themselves when they carry on, before governmental bureaus, many of the same activities which cause them to complain about Mr. Adams. I wonder if the Senator would not agree with me that the biblical injunction about the mote in our brother's eye and the beam in our own would be a good text for our colleagues, both in the other body and in the Senate, to consider in connection with this subject.

Mr. NEUBERGER. I could not agree more fully with the distinguished Senator from Pennsylvania, who, I may add, is my only present cosponsor in connection with Senate bill 3979, to apply equal conflict-of-interest principles to Members of Congress and to executive officials generally. I particularly welcome the Senator's comments.

Mr. CLARK. As I understand, there is a rule of the Senate which calls upon a Member to reveal a conflict-of-interest, and therefore disqualify himself from voting, or, in the alternative, at least to reveal such interest before he casts his vote. Is the Senator aware of such a rule?

Mr. NEUBERGER. I am aware that there is such a rule; but it is my understanding that, with respect to most, if not all, of us, it is honored much more in the breach than in the observance thereof.

Mr. CLARK. The Senator is correct. I recall my astonishment, as a new Senator, at hearing the senior Senator from Virginia [Mr. BYRD], when the postal rate bill was under discussion, state to the Senate that because he owned a newspaper in Virginia he was disqualifying himself from voting on that measure, which affected the postal rates paid by newspapers. I thought that was a fine thing for Senator BYRD to do. I had not appreciated until then that there was such a rule in the Senate; but I do not recall any other instance in the past 2 years in which it has been applied.

Mr. NEUBERGER. I, too, share the admiration of the Senator from Pennsylvania for what the senior Senator from Virginia did. I should like to add a further thought. We seem to have set up a double standard of morality in American politics. Let me explain what I mean. It is regarded as sinful, for example, for Sherman Adams to have accepted a rug from Mr. Goldfine. I do not support that action. I do not defend it. I believe that Mr. Adams showed great indiscretion, and certainly very poor judgment, when he accepted such gifts. Apparently it would have been perfectly legal if Mr. Goldfine had given $50,000 to the campaign fund of Sherman Adams' master, President Eisenhower, when he ran for President of the United States.

Mr. CLARK. The Senator from Oregon has pending a bill which would remedy the situation with respect to campaign contributions and put them on a better basis, by allowing a tax credit for small campaign contributions. The Senator feels—and I share his views—that that would make it unnecessary, as a practical matter, to raise very large sums for campaign expenditures from wealthy individuals.

Mr. NEUBERGER. There can be no question about that. The bill referred to is pending in committee. I am also the author of a proposal under which the Federal Government would underwrite campaign expenditures, as President Theodore Roosevelt requested in a message to Congress in 1907.

I wish to conclude by emphasizing one particular inconsistency, which seems to me to be the root of much of the corruption in American politics. It is possible for Congress to become terribly exercised about a deepfreeze to Colonel Vaughan, under the Truman administration, and about a rug and hotel suites for Sherman Adams under the Eisenhower administration. Yet William S. White, the author of a definitive book on the United States Senate, has written that it takes approximately $200,000 in a campaign fund to elect a Senator in an average State, and a million dollars in a populous State.

So long as we permit these huge campaign funds in American politics, to which big business and big industry and trade-union educational funds can contribute, it seems to me that when we become excited over trivial things, we are, to repeat, swatting at flies instead of draining the swamp.

Mr. CLARK. That is correct. I agree thoroughly with the Senator. I believe he knows that there is pending before the Committee on Post Office and Civil Service on which we both serve, a bill which has passed the House of Representatives, and which proposes to establish a code of ethics for Government employees. I do not know at the moment whether the code mentions elected public officials. I wonder whether the Senator would give some thought to whether we might interest our colleagues on that committee to report a bill, with suitable amendments, on that subject, before Congress adjourns at this session.

Mr. NEUBERGER. I believe we should work toward that end. One reason the bill has not moved thus far in committee is that it does not contain any enforcement provisions. In other words, it is toothless, as only a mere statement of principles. As I understand, it applies to the lesser bureaucrats, rather than persons in higher positions. It should contain some enforcement clauses.

Mr. CLARK. I suspect that the Senator agrees with me that that kind of long range governmental reform takes several sessions of Congress to bring about. I hope that my good friend from Oregon will still be here when the reforms which he espouses with such logic and persuasion, become law. I commend him for his interest in this subject, and I point out again that, although it may take a long time to accomplish such reforms, we should nevertheless start somewhere.

Mr. NEUBERGER. I thank the Senator. I believe he has made a chronological underestimate with respect to the time element involved. It was in 1907, over a half century ago, that Theodore Roosevelt, one of our most vigorous and illustrious Presidents, became concerned about the dominance of campaign funds in American political life. That was before the days of radio and television and the other mass media of communications.

Mr. CLARK. That was before Cadillacs, too.

Mr. NEUBERGER. I do not know if it was before Cadillacs or vicuna coats, but certainly it was before the day of multi-million-dollar campaign funds. That was 51 years ago. Nevertheless, this proposal, which originated with a great President, whose centennial we are celebrating, still languishes in committee and still has not come to life. The recent episode concerning Sherman Adams should give Congress the impetus, once and for all, to banish the importance and the dominance of large political campaign contributions in American public life.

Mr. CLARK obtained the floor.

Mr. ROBERTSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. JORDAN in the chair). The Senator will state it.

Mr. ROBERTSON. Is the Senate still proceeding with the transaction of morning business? We have had 2 speeches now, which have lasted for 45 minutes,

when we are supposed to be operating under the 3-minute rule. Are we still operating under the heading of morning business?

Mr. CLARK. The Senator from Pennsylvania had no intention of violating the 3-minute rule.

Mr. ROBERTSON. I have addressed a parliamentary inquiry to the Chair. The junior Senator from Virginia must attend in another place and his opportunity to speak to the Senate is limited.

The PRESIDING OFFICER. The previous speaker was speaking for a longer period under unanimous consent.

Mr. ROBERTSON. If the Senator who is about to speak will limit himself to the 3-minute rule, I have no objection. I call attention to the fact that the previous speakers took 45 minutes.

Mr. CLARK. I should like to point out to the distinguished Senator from Virginia that the junior Senator from Oregon, who was the preceding speaker, obtained unanimous consent to speak for an additional 10 minutes. I believe he did not exceed the additional time limit.

Mr. NEUBERGER. That is correct. The Senator from Mississippi [Mr. STENNIS] also obtained unanimous consent to speak for a longer time.

## PROPOSED HOUSING ACT OF 1958

Mr. CLARK. Mr. President, the proposed Housing Act of 1958 will be before the Senate within a few days. This bill has been painstakingly put together under the leadership of the eminent junior Senator from Alabama [Mr. SPARKMAN], whose position as a housing expert is unparalleled in this body. It has been one of my greatest pleasures as a new Senator to explore this complicated field under his leadership and guidance.

The bill is a complex one. It is, perhaps, most complex in the fundamental changes made in the public housing program in an effort to revive a program which is needed more than ever, but which has been gradually dying in the past few years. Testimony before our subcommittee indicated very strongly that public housing was dying from strangulation with redtape and from suffocation under the tight controls of a Washington bureaucracy.

Perhaps the best brief guide to an understanding of this bill is an address delivered last night by the able Senator from Alabama before the National Housing Conference here in Washington. I ask unanimous consent to incorporate in the RECORD as a part of my remarks the text of the Senator's address and commend it for the study of my colleagues.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I am again honored by your invitation to address the annual convention of the National Housing Conference.

It has been my privilege to address you many times. Usually, your annual meeting takes place at a critical stage of the legislative year. This year is no exception. Only last Thursday, I reported a Banking and Currency Committee bill to the Senate. It is now on the Senate Calendar and will be debated in the near future. If enacted, it will become the Housing Act of 1958. If its major provisions are retained—and I am hopeful they will be—this year's housing act will be one of the most fundamental, and far reaching, enactments in many years.

The committee bill is, in my judgment, sound in its basic policy direction, and eminently practical in its approach. Its general purpose is to take another step forward toward achieving the policy, set forth in the Housing Act of 1949, of decent housing for all of our people.

The bill is practical in its approach, for it depends primarily on local initiative and responsibility.

Another way of describing the theme of this year's bill is that it attempts to cut redtape, and decentralize Federal housing programs, wherever feasible.

The present status of housing has both its encouraging and discouraging aspects.

The Census Bureau reported over 1 million new nonfarm households formed in 1957. This compares with the production of less than 1 million new homes for the same period. This means that we are still losing ground in trying to meet the needs of a growing Nation.

Moreover, on the qualitative side, the Census Bureau reported the continuing existence of 13 million substandard dwelling units in the United States—roughly one-fourth of the total inventory. A generation ago, one-third of the Nation was ill-housed. Today, one-fourth of the Nation is ill-housed. This slight improvement should give little comfort to the wealthiest and most powerful Nation on earth.

Faced with these realities, it is imperative that more and more people at the grassroots become aware of the basic need for good housing programs, that they speak out in loud and clear voices. Dedicated organizations like yours offer a medium for this important task. It is to the great credit of your own National Housing Conference that it has contributed so much to better housing for America's less fortunate families.

When all is said and done, the realization of the need, coupled with a spirit of dedication to do something about it, constitute the ingredients of success in influencing national policy.

The committee bill now on the calendar is not the first housing bill this year. Earlier this year, you will recall, the Congress enacted, with bipartisan support—in fact, with only one lonely dissenting voice—an antirecession housing measure.

The results have been very encouraging. FHA applications for insurance and VA requests for appraisal have increased rapidly. Even the building industry itself seems a little surprised at the success of the program. The main reason why it went through Congress, in record time, and has since done such a good job, is that it is based upon what I believe is sound policy. The entire bill was directed at the great unmet market for low- and medium-priced homes. As you know, this is an old and familiar tune I have been playing for some time.

I still do not understand, however, why the President is so troubled by Congressional action in the field of housing. Despite the speed and unanimity with which the Congress adopted the emergency housing bill, the President waited until the 11th hour before he signed it; and in signing it, he voiced extensive objections to its main features. Now that the beneficial results of the Emergency Housing Act are becoming evident, I hope the White House will concede that the Congress has some understanding of the Nation's housing needs.

I have been somewhat amused by that part of the press which originally attacked the emergency housing bill, but now that it has worked so well, call it a statesmanlike administration act.

The bill now on the Senate Calendar is also a good bill, and it deserves the same kind of bipartisan support accorded the Emergency Housing Act.

The Subcommittee on Housing, after long and serious discussion, assembled an omnibus bill. In general terms, the bill has these objectives:

It would make a long-term commitment toward the support of urban renewal.

It would expand and strengthen programs such as low-rent public housing, relocation housing, and rental housing generally, which are indispensable to the ultimate success of urban renewal.

It would create a new FHA title for elderly persons.

It would broaden the scope of college housing.

It would extend and strengthen many other activities such as title I home improvement, military housing, and farm housing research.

Now, for a few minutes, let us examine some of the highlights of the bill, and see if it deserves—as I think it does—the same bipartisan support given to the emergency housing legislation.

In the urban renewal title of the bill, the committee recommends that the Federal Government make a 6-year commitment to the urban-renewal program, at an annual rate of $350 million in grant authorization, which could be increased to $500 million a year if necessary. The volume of current applications proves that the urban-renewal program could have used up to $500 million this year. Thus, the committee recommendation is based on a reasonable forecast of future needs. Anything less would be a betrayal of our promise in the Housing Act of 1949 to rid the American cities of slums and blight.

The administration also requests a 6-year program but at an annual rate of $250 million for 3 years, which would be reduced to $200 million for the last 3 years. Moreover, the administration would increase the local share of the cost from one-third to one-half. The overwhelming majority of witnesses testifying before our subcommittee, in the field in the autumn and recently here in Washington, state categorically that a reduction in the Federal share would virtually choke off the Federal program.

In fact, in view of the upsurge of interest in urban renewal in all parts of the country, I am confident that the committee bill will win broad support in the Congress.

More money, however, is not all that is needed to make urban renewal work. A provision in this year's bill would speed up the whole renewal process by cutting red-tape and simplifying the requirements of the urban renewal plan. Another provision permits a slight expansion in the use of urban renewal funds for commercial and industrial redevelopment.

At long last, the need for community-wide planning is recognized. Planning grants for community renewal programs would become available for the first time. Following adoption of this new type of programing, as well as the existing planning for general neighborhood renewal, credit for noncash grants-in-aid would be available over a 5-year period prior to the signing of the loan and grant contract.

These urban renewal amendments are, I believe, fundamentally sound and defensible. They could stimulate a great deal of activity in all parts of the country, especially in small- and medium-sized communities. But they depend in great measure on our finding an effective solution to a growing problem; namely, the problem of providing decent relocation housing for displaced families.

I cannot emphasize too strongly my conviction that urban renewal will succeed only to the extent that a successful solution is found for the relocation problem.

To meet this problem, the committee bill would:

1. Provide relocation payments to any family displaced by governmental action in an urban renewal area, by code enforcement activities, or by a program of voluntary rehabilitation.

2. Require a local public agency to give displaced business concerns a priority of opportunity to relocate in the renewal area.

3. Permit FHA section 221 housing for displaced families to be built anywhere within the environs of a community with an approved workable program.

One of the most pressing needs in the housing field today is recognized by title II of the bill which would create a new and separate program for elderly persons housing. You may recall that 3 years ago the subcommittee prepared an extensive analysis of the problem, and in the following legislative year, I submitted a bill based upon this analysis. It was a recommendation that a new FHA section 229 be created especially for elderly persons. It lost in conference, in large measure because the administration felt that a special program for the elderly was not justified.

This year, however, the administration has stated that such a new program is needed. If it does not change its mind again, I believe that we will now make great strides toward a realistic housing program for our elderly citizens.

The differences between the administration's recommendation for housing for the elderly and mine are relatively minor. The administration thinks that all units in an elderly persons' project should be designed exclusively for the elderly. I have come around to the view that it is undesirable to colonize the elderly, and I am therefore recommending that a project qualify for FHA insurance if at least 50 percent of the units are designed for the elderly.

Another point on which we disagree is that the administration would confine the benefits of insurance to nonprofit organizations. As a long-time advocate of getting private enterprise into the housing field as much as possible, I am recommending that profitmaking organizations be given an opportunity to participate in the program.

Another relatively minor difference is that I believe the valuation basis for insurance should be changed from value to replacement cost, in keeping with similar changes we have made for other programs.

Perhaps no other housing program has stimulated such wide interest. Certainly this title of the bill should warrant wide support.

Another major change proposed in this year's bill concerns the college housing loan program. An amendment is included in the bill to add a new section to authorize Federal loans to colleges for construction or rehabilitation of classrooms and other college buildings. The authorization for this purpose would be $250 million. This amount would be in addition to the new authorization of $400 million proposed for the regular college housing loan program.

You may recall last year when I spoke to you I promised that the committee would take a long look at the public housing program and come up with some new ideas for 1958.

I believe that we have found some new ideas, and I think they will work.

Public housing has been in the doldrums for several years. Of the 70,000 low-rent units authorized in 1956, it is disappointing to find 2 years later that only 9,000 are under contract, and only 200 are under construction. Obviously, something has been wrong, and I think we have found what it is.

Witnesses before our subcommittee during hearings last fall testified about the excessive redtape and harmful effects of excessive centralization. We were told that local executive directors were unable to make any important decisions without clearing them with PHA.

Now you and I know this was not the intent of the original Housing Act of 1937. The program was established as a local program, with local boards of directors, and locally appointed staffs. The Federal Government's part was to assist in financing the program by committing itself to paying off the initial construction and development cost. Everything else was to be the responsibility of the local authority with overall direction from the Federal Government through the PHA.

This year, after many hours of testimony and volumes of written material submitted for the attention of the Subcommittee on Housing, I prepared a committee print which included a new policy for public housing. The objectives added to the old policy statement are the following:

1. To build smaller projects better related to local neighborhoods.

2. To give local public agencies more responsibility for the operation of their projects.

3. To permit the sale of units to overincome tenants or to permit such tenants to remain at an unsubsidized rent if suitable private housing is not available.

The key to this entire policy statement, in my opinion, is that to a much greater degree it gives full management responsibility to the local authority. The local authority would be responsible for establishing rents and eligibility requirements, preparation of budgets, the control of expenditures, and the provision of such social and recreational guidance as is necessary to make good citizens of the tenants.

Second, the bill would permit a local authority to establish rent schedules and income limits. This feature would be an implementation of the policy objective of more local autonomy, and with the new incentive feature written into law, I believe the PHA would be wasting its time by insisting on a tight control of rents and income. I feel that opposition to this feature will disappear when it is better understood.

Third, the bill would extend the present authorization for another year and authorize an additional 35,000 units for 1961 and 1962. This is a small number of new units to be proposed, but does assure continuity on which plans can be made for the future.

Fourth, the bill would make a new allocation of residual receipts, which are now being returned to the Federal Government to reduce the annual contributions. The proposed bill would use two-thirds for reduction of capital debt and thereby speed up the amortization of the debt. One-third would be retained by the local authority for low-rent housing use.

Let me give you an example of how the provision would work. Suppose a housing authority had $10,000 residual receipts and an annual contributions contract for $100,000. Under present law, the Federal Government would use the $10,000 to reduce the contribution from $100,000 to $90,000. Under the proposed law, $6,700 of the $10,000 would be used for advanced amortization; the other $3,300 would go to the local authority.

Now, let us see how the Federal Government comes out on this new plan.

On the loss side, annual contributions would be increased by $10,000 a year for 40 years, or $400,000.

On the credit side, the payment of $6,700 a year toward advance amortization would result in paying off the loan in 35 years rather than 40 years. The savings here would be 5 times $100,000 or $500,000.

You can see that the Federal Government loses $400,000 on the one hand and gains $500,000 on the other, or a net savings of $100,000.

There is every reason to believe that with a built-in local incentive to improve efficiency, operating costs will be reduced further and even more savings can be expected by the Federal Government. Certainly, there can be no objection to the Federal Government's saving money.

The bill would also permit the sale of units to overincome tenants. A local authority would use this at its discretion when found practical and feasible. If not feasible, such tenants could be left in occupancy if no reasonably-priced private housing is available to them.

There is another feature of the bill which deserves bipartisan support. It establishes a plan for low-income families to pull themselves up by the bootstraps. It gives the family a home, encouraging it to work harder and to improve its financial position. Under present law, a hard-working and industrious family winds up either losing its incentive, or being evicted from its home. The new law would award industry and hard work by holding out the goal of home ownership.

I am hopeful that the real-estate people will come to like this new provision because it is a plan for returning public-housing units to the private-housing field.

These new public-housing features of the bill are good, it seems to me. If properly administered, they should result in a revival of interest in this vital part of our Federal housing program. All the legislation in the world will go for naught if we do not have good administration. This is particularly true at the local level. I am hopeful that the public-housing title of the committee bill will inspire a resurgence of strength in local authorities.

Public housing was initially a crusade for decency in American family life; it must not lose that crusading spirit. New legislation will help, but it will succeed only if you make it succeed.

In closing, I want to join all of you in expressing profound and sincere regret over the departure of Lee Johnson. So many good things have already been said about him that there is little I can add. Even so, I know we all share the feeling that his contributions toward helping to make it possible for all Americans to have decent homes have been exceedingly great.

Lee has been the Washington workhorse in the field of housing. With one of the smallest staffs on the Washington scene, the volume of useful information made available has been truly remarkable.

One need not agree with everything he has proposed—and I am sure we all know opponents of the National Housing Conference's views—to appreciate his untiring efforts and his complete and unselfish devotion to the cause of better housing.

Lee is truly one of the most effective housing champions of all time.

I am delighted to join with you to wish him well in his new grassroots assignment. If the committee bill is enacted into law, Lee Johnson and people like him in other parts of the country will hold the key to its success. In fact, the Lee Johnsons of our Nation, operating with dedication at the local level, will, I am confident, make the program work.

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## SEVEN DAYS UNTIL JULY 1—PROSPECTIVE INCREASE IN THE PRICE OF STEEL

Mr. KEFAUVER. Mr. President, on yesterday I put in the RECORD letters written by Mr. W. L. Litle, chairman of the board and president of the Bucyrus-Erie Co., to President Eisenhower and Secretary Mitchell, together with a reply from Secretary Mitchell. In his letter to

the President, Mr. Litle, whose firm is the world's foremost manufacturer of power cranes and excavators, stated that unless the inflationary spiral is stopped, American manufacturers will have priced themselves out of the world markets. This would mean that firms such as his could compete in world markets only by building branch plants abroad, which of course would deprive American workers of employment.

They may, in addition, be pricing themselves out of the domestic market as well. The Wall Street Journal of June 23 quotes an official of one automobile company as stating:

Our prices are too high now. We know it, and we are determined to hold the line if at all possible.

If one can judge from recent surveys which were made by the Wall Street Journal and the magazine Steel, the prospect of having to face another increase in the price of their basic raw material fills many American manufacturers with gloom. The reason for their apprehension is not difficult to determine. In a number of industries, there still exists a considerable degree of true price competition. As a result of the current recession, there also exists a buyers market. Under these circumstances, no single producer in such an industry can be sure—as United States Steel appears to be sure—that any price increase which it makes would be paralleled by a comparable increase on the part of its competitors. It is this lack of certainty as to what the reactions of their competitors will probably be that sharply distinguishes competitive industries from the steel industry.

In its survey which covered 40 midwestern steel-using firms, the Wall Street Journal found that they are reluctant to raise prices even if they have to pay more for steel—June 23, 1958. The survey cited particular firms, of which the following appear to be typical:

Mr. John E. Carroll, president of the American Hoist & Derrick Co., of St. Paul, Minn., said:

We cannot pass along any price increases on our products. Even if we were in the red, which we are not, we couldn't raise prices because we'd lose too much business by doing so.

Mr. Francis J. Trecker, president of Kearney & Trecker Corp., Milwaukee, Wis., is quoted as saying:

There is no possible chance of increasing prices on machine tools at this time. Any added cost of steel would have to come from our profit—if there is a profit.

Mr. Ben F. Lease, president of Athey Products Corp., a Chicago heavy-duty trailer manufacturer, said:

Price cutting now is widespread in our industry. I don't know how you can pass along any steel price increase in those circumstances.

In its survey of manufacturers of metal-working equipment—in which steel is an important cost element—the trade magazine Steel found that because of competition it would be difficult, if not impossible, for many equipment manufacturers to pass on any increase in steel prices. The magazine cites a manufacturer of belt conveyors as stating:

There is definite price weakness in this field. Even the most ethical blue-chip producers are cutting quotations.

A producer of hydraulic presses is quoted as saying:

Some manufacturers want to fill their shop so badly they'll not only operate at smaller per unit profit but sometimes quote under cost.

A manufacturer of presses reports:

Some companies are accepting business at a loss to keep their plants operating.

This is not to say that none of the increase in the price of steel will be passed on to the consumer. But it is to say that if the recession continues, companies in competitive industries will find it much more difficult than last year to pass along the cost of a steel price rise, which in some cases will spell hardship, if not insolvency. No such difficulty is to be expected, of course, in industries where price competition no longer exists. There, the full increase will undoubtedly be passed on—with probably something more, to boot.

Mr. President, if the steel companies do raise their prices, their gain in unit profits will be at the expense of the American consumer in cases in which the increase can be passed on, and at the expense of steel-using firms in competitive industries when in which it cannot be passed on. In either event, the steel companies' gain would be the Nation's loss.

There remain only 7 more days for President Eisenhower to act to prevent the expected price increase.

## FEDERAL AID FOR WILDLIFE PROGRAM

Mr. WILEY. Mr. President, recently I received a copy of a resolution adopted by the Wisconsin Conservation Commission at its 23d annual meeting in Madison, Wis. The resolution stresses the need for a change in the formula for distributing funds for wildlife projects under the Pittman-Robertson Act. Under this act, funds are collected through an excise tax on guns and ammunition. After administrative costs and certain statutory outlays to territories are deducted, the money is reapportioned to the States on a 25 percent matching basis by the States.

However, there are now serious inequities in the program.

For example, under present methods of distribution, Wisconsin last year received only 83 cents per license issued. By contrast, other States received up to $8.50 per license. This is definitely unfair.

Currently, there are two approaches being considered for improving this law: First, the resolution proposes to change the formula so as to give greater consideration to the number of licenses issued, to license holders, rather than to land area. This is on a 50–50 basis.

Incidentally, such a proposal is contained in S. 3920, now pending before the Senate Interior and Insular Affairs Committee. This measure would change the formula from a 50–50 basis, to allocating 60 percent of the funds on the basis of licenses issued to holders, and 40 percent on land area.

Second, the bill I introduced today would, if enacted, help to assure that the formula would not be further distorted, as now being considered by the Department of the Interior.

As Senators know, a change is being considered which would require that funds now be allocated on the basis of the number of license holders—rather than on the traditional basis of the number of licenses issued.

To avoid prolonging or increasing the inequities in the law, I respectfully urge that the Senate Interior and Insular Affairs Committee consider these two bills as soon as possible.

To indicate the deep concern with which the Wisconsin Conservation Congress views the need for improving this program, I request unanimous consent to have the resolution printed in the body of the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the national wildlife conservation program has been benefited tremendously through the Federal Aid to Wildlife Restoration Act, better known as the Pittman-Robertson program;

Whereas the Wisconsin Conservation Department Game Management Division's program has been strengthened and increased through the receipt of Federal aid to wildlife restoration funds;

Whereas the Fish and Wildlife Service of the United States Department of the Interior now plans to change the method of apportionment of the Federal aid to wildlife restoration funds to the States;

Whereas such change in computing the apportionment will have a damaging effect on the Wisconsin wildlife conservation program by reducing funds available to Wisconsin;

Whereas the change in the apportionment procedure is apparently the result of political pressure on the part of certain States;

Whereas the change in the apportionment procedure will result in each State having to institute costly sampling procedures to determine the number of paid license holders; and

Whereas the change in the apportionment procedure fails to recognize the need of the States for funds to conduct a wildlife management program: Therefore be it

*Resolved by this 23d meeting of the Wisconsin Conservation Congress,* That the apportionment procedure which has been in effect for almost 20 years and which has proven to be highly acceptable be continued, that if the United States Fish and Wildlife Service insists on a change in the procedure along with a required expensive sampling procedure that the representatives of the State of Wisconsin in the Congress of the United States introduce suitable legislation to amend the Federal Aid to Wildlife Restoration Act to give in the apportionment formula more consideration to numbers of license holders and less consideration to land area of the States. * * *

Resolutions committee: Glen L. Garlock, chairman (Forest County); Donald L. Hollman (Adams County); Edward F. Keip (Manitowoc County).

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its

reading clerks, announced that the House had passed the bill (S. 3057) to amend the District of Columbia Teachers' Salary Act of 1955, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House insisted upon its amendments to the bill (S. 1850) to adjust conditions of employment in departments or agencies in the Canal Zone, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MURRAY, Mr. YOUNG, Mr. HEMPHILL, Mr. SCOTT of North Carolina, Mr. REES of Kansas, Mr. CUNNINGHAM of Nebraska, and Mr. DENNISON were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 11246. An act to amend the act of July 1, 1902, to exempt certain common carriers of passengers from the mileage tax imposed by that act and from certain other taxes;

H. R. 12643. An act to amend the act entitled "An act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia,' to create 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes," approved April 1, 1942, as amended; and

H. J. Res. 582. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the Middle Atlantic Shrine Association meeting of A. A. O. N. M. S. in September 1958, to authorize the granting of certain permits to Almas Temple Shrine Activities, Inc., on the occasions of such meetings, and for other purposes.

## ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 2548. An act to authorize payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project;

H. R. 4260. An act to authorize the Chief of Engineers to publish information pamphlets, maps, brochures, and other material;

H. R. 4683. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam;

H. R. 5033. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

H. R. 6641. An act to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes;

H. R. 7081. An act to provide for the removal of a cloud on the title to certain real property located in the State of Illinois;

H. R. 7917. An act for the relief of Ernst Haeusserman;

H. R. 9381. An act to designate the lake above the diversion dam of the Solano project in California as Lake Solano;

H. R. 9382. An act to designate the main dam of the Solano project in California as Monticello Dam;

H. R. 10009. An act to provide for the reconveyance of certain surplus real property to Newaygo, Mich.;

H. R. 10035. An act for the relief of Federico Luss;

H. R. 10349. An act to authorize the acquisition by exchange of certain properties within Death Valley National Monument, Calif., and for other purposes;

H. R. 10969. An act to extend the Defense Production Act of 1950, as amended;

H. R. 11058. An act to amend section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, relating to tobacco acreage allotments;

H. R. 11399. An act relating to price support for the 1958 and subsequent crops of extra long staple cotton;

H. R. 12052. An act to designate the dam and reservoir to be constructed at Stewarts Ferry, Tenn., as the J. Percy Priest Dam and Reservoir;

H. R. 12164. An act to permit use of Federal surplus foods in nonprofit summer camps for children;

H. R. 12521. An act to authorize the Clerk of the House of Representatives to withhold certain amounts due employees of the House of Representatives;

H. R. 12586. An act to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury;

H. R. 12613. An act to designate the lock and dam to be constructed on the Calumet River, Ill., as the Thomas J. O'Brien lock and dam; and

H. J. Res. 577. A joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

## HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles, and referred to the Committee on the District of Columbia:

H. R. 11246. An act to amend the act of July 1, 1902, to exempt certain common carriers of passengers from the mileage tax imposed by that act and from certain other taxes;

H. R. 12643. An act to amend the act entitled "An act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia,' to create 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes," approved April 1, 1942, as amended; and

H. J. Res. 582. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the Middle Atlantic Shrine Association meeting of A. A. O. N. M. S. in September 1958, to authorize the granting of certain permits to Almas Temple Shrine Activities, Inc., on the occasions of such meetings, and for other purposes.

## STATEHOOD FOR ALASKA

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Pursuant to the unanimous consent order previously entered, the Chair lays before the Senate the unfinished business, which is H. R. 7999.

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Washington [Mr. JACKSON] may, during the consideration on the Alaska statehood bill, have present with him on the floor of the Senate, to assist him, a member of his staff, Mr. Jack Howard.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

### TIME FOR STATEHOOD PAST DUE

Mr. JACKSON. Mr. President, the time is past due for the admission of Alaska to the Union. The issue has been defined in each of the last seven Congresses, and now has come before the Senate in this 85th Congress. All possible arguments in support of and in opposition to Alaska statehood have been raised and discussed. Both parties have time and again pledged support to statehood. The issue is not new, it is not partisan. There is no need for an exhaustive review of the facts and arguments, nor for partisan attacks on one another.

From the beginning, the emphasis of the Territories Subcommittee of the Committee on Interior and Insular Affairs has been on getting at the basic provisions that would achieve statehood. As a result of this approach, the subcommittee recommended unanimously a statehood bill, and the full committee voted with but one dissent to report a statehood bill. Members on both sides of the aisle worked hard on this issue, and it is only proper that the presentation of the bill be a bipartisan effort. Certainly one of the hardest-working members of the Territories Subcommittee, and its ranking minority member, was the distinguished junior Senator from California. I am grateful to him and all the members of my committee for their generous support.

First let me make perfectly clear the legislative situation in which we find ourselves. We face the almost unbelievable situation in which Alaska statehood could be voted by both the Senate and the House of Representatives, and still not go to the President for signature. It is possible and probable that the Senate's will thus could be frustrated by the parliamentary rules of the House of Representatives. It is for this reason that we are taking up H. R. 7999, which has already been passed by the other body. These are the legislative facts of life: if, as the result of any action taken by the Senate, the statehood bill must return to the other body, Alaska statehood could die in the House of Representatives.

Now, I am not demanding that the Senate accept without question the action of the House of Representatives. Certainly there are several approaches to the goal of statehood for Alaska.

Nevertheless, in all candor and honesty, it must be made clear to the Senate and to the Nation that if the bill now before us is sent back to the other body for conference or for concurrence in

Senate amendments, there is the possibility that the bill will end up in the Rules Committee and will die there. Every Senator should recognize this fact, and should reflect on the situation as we proceed to consideration of the bill. If the Senate truly wants statehood for Alaska, we must make certain that the will of the Senate—shared by a strong majority of the other body—shall not be overturned by a small committee of the other body.

DIFFERENCES NOT GREAT

So let us first examine the differences between the House and Senate bills. They are not great. Both bills originally were identical. Many amendments added by the Senate subcommittee also were adopted in toto by the House committee. But there were additional amendments added on the House floor, and these now provide the main distinguishing features of H. R. 7999.

Let me review briefly the outstanding differences between the bill now under consideration, and the bill previously reported by the Senate committee. It should be quickly obvious that the differences are of wording and language rather than policy.

At the outset, the House bill requires the voters of Alaska to answer the question, "Shall Alaska immediately be admitted into the Union as a State?" No one could object to such a plebiscite, and there is certainly no policy issue interjected by this question.

Another difference between the bills is to be found in the provision for land surveys. S. 49 authorizes an appropriation of $15 million to survey lands in the new State. The House bill does not. Since our bill was reported by the committee, Alaska has found new sources of revenue to finance her development—sources that will far exceed the $15 million we originally proposed to authorize. If our bill were being reported now instead of a year ago, we, too, would have made this change.

There is a difference in approach between the two bills with reference to management and administration of Alaska's fish and wildlife resources. S. 49 would permit the new State to assume immediate jurisdiction over such resources. The House bill would delay the transfer of jurisdiction until the Secretary of the Interior determines that adequate provision has been made by Alaska to assume its responsibilities. In both bills the end result would be achieved; the only difference is one of timing, because the intent of both bills is clearly that Alaska is ultimately to manage her own resources.

LEGAL AND TECHNICAL DIFFERENCES

Many of the remaining differences are purely legal or technical. They are designed to define more clearly some of the jurisdictional problems involved between Alaska and the huge areas of the State that may be reserved by the Federal Government. The objective of both bills is identical. There is strong evidence that the end product of both bills would be identical.

Among the other differences is a provision in the Senate bill restating the existing constitutional law forbidding discrimination by one State against citizens of another State. Another difference relates to providing the use of water areas to aid in the performance of national forest logging operations. So that all Members of the Senate may have a clear understanding of the exact differences between the two bills, I ask unanimous consent that there be printed in the RECORD at this point in my remarks a section-by-section comparison of the two bills.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

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SECTION BY SECTION COMPARISON OF S. 49 AND H. R. 7999

| S. 49 | H. R. 7999 |
|---|---|
| Section 1: Admission of Alaska to the Union. | Identical. |
| Section 2: Defines boundaries. | Identical. |
| Section 3: State constitution shall be republican in form. | Identical. |
| Section 4: Compact between the United States and the people and State of Alaska. | Identical except as below: |
| Page 3, lines 11–12: "[Federal lands and Indian lands] shall be and remain under the absolute control of the United States." | Page 3, lines 6 and 7: "shall be and remain under the absolute *jurisdiction and* control of the United States." |
| Page 4, lines 8–14: The State may not unreasonably discriminate against nonresidents. | No provision. |
| Section 5: Title to Territorial United States lands confirmed in present owners. | Identical. |
| Section 6: (a) Land selection for community development. | Identical except as below: |
| No time limit. | Twenty-five-year limit for selection of 800,000 acres of public land. |
| Page 5, lines 12–13: Selection not to "affect *the validity of any existing contract or* any valid." | Page 5, lines 2–3: Selection not to "affect any valid." |
| (b) Land selection for other purposes. | Identical. |
| (c) Grant of land in Juneau. | Identical. |
| (d) Additional grant in Juneau. | Identical. |
| (e) Administration fish and wildlife resources. | Identical except as below: |
| Administration turned over to State since no provision made for Federal Government to retain control. | Administration retained by Federal Government until the Secretary of the Interior certifies that the State has made "adequate provision." Pages 6–7, lines 19–25, 1–2, respectively. |

SECTION BY SECTION COMPARISON OF S. 49

Page 7, lines 8–9: "*or such lands and personal property utilized* in connection with" fish and wildlife research retained by the United States.

(f) Support of public schools.

(g) 12½ percent of timber sales to go to State in addition to the 25 percent as paid to other States.

(h) Method of selecting land.

Page 9, lines 6–7: "Except as provided *for national-forest lands* in subsection (a), all lands granted" in conformity with regulations of the Secretary.

(i) Leases under Mineral Leasing Act and Alaska Coal Leasing Act.

(j) Grants include mineral deposits.

(k) Notice of intent to select land prevents Federal withdrawal for 5 years except for military or naval purposes or by Act of Congress.

(l) Schools provided for shall remain public and no proceeds from land grants to be used for sectarian or denominational schools.

(m) Previous grants confirmed.

Page 14, lines 16–18: "all lands * * * *including the interests, powers and rights of the United States under any contract, lease, permit or license outstanding with relation to any of such lands,* shall * * *."

Page 14, lines 21–23: "but such repeal *and grant* shall not affect *the terms or validity of* any outstanding lease, permit, license, or contract issued under said section 1, as amended, *or otherwise,* or any * * *."

Page 15, lines 2–4: "as amended."

Page 15, line 1: "such repeal *and grant* from * * *."

(n) Grants in lieu of internal improvement grants.

(o) Applicability of Submerged Lands Act.

Pages 15–16, lines 20–25 and 1–8, respectively: Alaska must provide access over tidelands and necessary water areas to aid performance of national forest logging contracts.

Section 7: Proclamation for elections.

Section 8: (a) Procedure for calling election.

Page 17, line 10: "said elections, *as so ascertained,* to the President * * *."

(b) Ballot to be submitted.

Page 17, line 17: "or rejection, the following propositions:"

*No provision.*

Page 18, line 6: "In the event the foregoing propositions are adopted * * *."

Page 18, lines 10–11: "In the event the foregoing propositions are not * * *."

(c) Presidential proclamation.

(d) Territorial laws continue in effect.

Section 9: State entitled to one Representative.

Section 10: (a) Defense withdrawals authorized.

(b) Area for such withdrawals defined.

(c) State jurisdiction within withdrawals.

Pages 23–24, lines 16–24, and 1–5, respectively: State may enact new tax laws affecting persons and corporations within withdrawals.

(d) State authority within withdrawals.

(1) General laws of Congress.

(2) Military enactments.

(3) Existing laws in withdrawals.

(4) United States Commissioners.

(5) Municipal corporations.

Pages 25–26, 19–25 and 1–5, respectively: "All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection, *including the function of enacting and enforcing new or amendatory laws, rules or regulations,* shall continue to be performed within the withdrawals by

S. 49 AND H. R. 7999—Continued

| H. R. 7999 | S. 49 | H. R. 7999 |
|---|---|---|
| Page 7, line 5: "or in connection with * * *." | such corporations, district or other subdivision, and the *existing and future* laws and ordinances of such municipalities or local political subdivisions, shall *be* in full force and effect notwithstanding any withdrawals made under this section:" | ordinances of such municipalities or local political subdivision shall remain in full force and effect notwithstanding any withdrawals made under this section. |
| Identical. | Page 26, lines 5–13: Inconsistent ordinances and State laws designed for the purpose of defeating Federal jurisdiction inoperative. | |
| No provision. | (6) Performance of functions otherwise performed by State officers or agencies. | No specific provision. |
| (g) Identical except as below: | Page 26, line 19: "by such persons or agencies * * * [to be appointed by the President]." | Identical except as below: |
| Page 8, lines 18–19: "Except as provided in subsection (a), all lands granted * * *." | (7) United States District Court jurisdiction. | Page 23, line 8: "by such *civilian individuals or civilian* agencies * * *." |
| (h) Identical. | (e) United States jurisdiction not limited by the description of laws to be in effect. | Identical. |
| (i) Identical. | (f) Specific protection of rights under eminent domain. | Identical. |
| No provision. | Section 11: (a) Mount McKinley National Park. | No provision. |
| (j) Identical. | (b) Military reservations. | Identical. |
| (k) Identical except as below. | Page 28, lines 24–25: "[owned by the] * * * United States and *used and* held for Defense or Coast * * *." | Identical except as below: |
| Pages 12–13, lines 25 and 1, respectively: "all lands * * * shall * * *." | Section 12: Technical changes in existing laws. | Page 25, lines 6–7: "United States and held for military, naval, Air Force or Coast * * *." |
| Page 13, lines 3–5: "but such repeal shall not affect any outstanding lease, permit, license or contract issued under said section 1, as amended, or any * * *." | Page 30, lines 6–7: "Effective upon the admission of *the State of* Alaska into * * *." | Identical except as below: |
| Page 13, lines 8–11: "as amended, *or derived thereafter from any disposition of the reserved lands or an interest therein made prior to such repeal.*" | Section 13: Pending litigation shall not abate. | Page 26, line 14: "Effective upon the admission of Alaska into * * *." |
| Page 13, lines 7–8: "such repeal from * * *." | Section 14: Appeals from District Court of Alaska. | Identical. |
| (l) Identical. | Section 15: Pending litigation transferred. | Identical. |
| (m) Identical except as below: | Section 16: Jurisdiction of State courts. | Identical. |
| No provision. | Section 17: Appeals from State courts to United States Supreme Court. | Identical. |
| Identical. | Section 18: Termination of Territorial district court. | Identical except as below. |
| Identical except as below: | Page 36, line 19: "The provisions of this act relating to the * * *". | Page 33, lines 3–4: "The provisions of *the preceding sections with respect* to the * * *." |
| Page 15, line 4: "said elections to the President * * *." | Page 37, lines 6–13: Territorial court to handle cases in State jurisdiction until State asserts readiness to assume. | No provision. |
| Identical except as below: | Section 19: Federal Reserve Act amended. | Identical except as below: |
| Page 15, line 11: "or rejection, *by separate ballot on each*, the following propositions:" | Page 37, line 21: "When the State of Alaska or any State is hereafter * * *." | Page 33, line 24: "When the State of Alaska is hereafter * * *." |
| Page 15, lines 13–14: "(1) Shall Alaska immediately be admitted into the Union as a State?" | Section 20: Repeal coal withdrawal act of 1914. | Identical. |
| Page 16, line 1: "In the event *each of* the foregoing propositions *is* adopted * * *." | Section 21: Authorizes appropriation of $15 million for land surveys. | No provision. |
| Page 16, lines 5–6: "In the event *any one of* the foregoing propositions *is* not * * *." | Section 22: (a) Distribution of coal profits. | Section 28: (a) Identical. |
| Identical. | (b) Distribution of mineral profits. | Section 28: (b) Identical. |
| Identical. | Section 23: Federal Maritime Board jurisdiction. | Section 27: (b) Identical. |
| Identical. | No provision. | Section 27: (a) Applies to Alaska an exemption from the coastwise sabotage law now applicable to all other States. |
| Identical. | Section 24: Nationality. | Section 21: Identical. |
| Identical. | Section 25: Immigration Act. | Section 22: Identical. |
| Identical except as below: | Section 26: Immigration Act. | Section 23: Identical. |
| No provision. | Section 27: Immigration Act. | Section 24: Identical. |
| Identical except as below: | Section 28: Immigration Act. | Section 25: Identical. |
| Identical. | Section 29: Immigration Act. | Section 26: Identical. |
| Identical. | Section 30: Separability clause. | Section 29: Identical. |
| Identical. | Section 31: All acts in conflict repealed. | Section 30: Identical. |
| Identical except as below: | | |
| Pages 22–23, lines 20–25 and 1–2, respectively: "All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection shall continue to be performed within the withdrawals by such corporation, district, or other subdivision, and the laws of the State or the laws or | | |

Mr. JACKSON. Mr. President, what are the provisions of the statehood bill?

To begin with, the usual provisions are included relating to a republican form of State government, definition of boundaries, transfer of court jurisdiction, and a popular referendum on the act of statehood itself. These are provisions that were included in the last 10 statehood bills passed by Congress since 1889.

Sections 1 through 5 of H. R. 7999 deal with all of these subjects—except the referendum—plus the subject of land rights and titles. Section 6 relates to public lands in the Territory—a subject which, I might add, has formed an important part of every statehood bill enacted by Congress since 1889. This section can correctly be described as an important key to statehood.

LAND-GRANT PROVISIONS

Basically, the new State of Alaska would be granted the right to select 103,550,000 acres of land now owned by the Federal Government. There are restrictions, of course, so that defense installations and other land needed by the Federal Government will not be affected. Part of this grant—800,000 acres—will be for the express purpose of community

development and the expansion of recreational areas. The remainder will be for the purpose of getting the land out of Federal ownership and onto the tax rolls to help expand the existing base for self-government.

These grants should be considered in light of the fact that 99.9 percent of the entire land area in Alaska is owned by the Federal Government. State ownership of some of these lands will provide the necessary encouragement for the complete and efficient development of the natural resources they contain. Just as previous States received lands for railroads and schools and other purposes, Alaska would be given land with which to encourage the internal improvements necessary to her future growth and development.

This is not to suggest that the land selection is needed to keep the new State from going into deficit spending. Alaska is a going concern. As a matter of fact, Alaska is currently financing, by means of its own revenues, all functions and services it is permitted to carry on. The Territorial government has no debt, and actually has a cash surplus. The additional activities Alaska would engage in after statehood is granted can normally be expected to be financed through the additional revenues which also would become available to Alaska as a State.

ALASKA'S FAIR SHARE

The need for land grants is instead related to the right of the people of Alaska to enjoy a fair share of their own resources. All that is being proposed in the statehood bill is to transfer to the people of Alaska a part of the resources of the Territory so that the people of the new State may use and develop their land for the general good and welfare. Today the people of Alaska find themselves in a sort of Federal trusteeship—without the right to vote, without the right to develop their resources, without the right to the fullest enjoyment of economic and political democracy. Statehood would change all that for Alaska, just as it has done for the people in other Territories when they became full and equal members of the Union.

It should be noted that the grants provided for by the statehood bill are in lieu of internal improvement grants given other States under existing statutes. In the historical context, the grants to Alaska are a smaller proportion of available public land than were the grants made to many States admitted to the Union during the past 100 years. In previous cases of statehood, private land ownership had developed to the point were substantial holdings had been recorded, thereby reducing the proportion of Federal land in the State. Thus, grants of public lands in those States—ranging as high as 31 percent of the State's total area, in the case of North Dakota—actually represented significantly higher proportions of available Federal land than the land Alaska will receive under the provisions of House bill 7999.

CHARGES OF GIVEAWAY

While we are looking at this question in the historical context, it may be interesting to examine the charge of giveaway that has been made against the land selection provision of House bill 7999. As each Territory came to be admitted to the Union, large areas of federally-held land were transferred to the new State for support of schools, for development of communities and community facilities, and for encouragement of industries such as railroads. For example, in North Dakota, 24 percent of her entire land area was given by the Federal Government directly to railroad companies. Another 7 percent of the State's total land area was given directly to the State government. In the case of California, 12 percent of the State's total land area was given to the railroads, and another 9 percent was given directly to the new State. All these figures refer to transfers of Federal land holdings. To cite another example, my own State of Washington received in Federal grants about 7 percent of its total land area, while another 22 percent was given directly to the railroads by the Federal Government.

In the case of Alaska, the total land grant amounts to about 28 percent, a figure that is not out of line with the Federal Government's previous grants of public lands in North Dakota, Washington, Arizona, and Kansas, to name only a few.

There is another aspect to this giveaway charge. Let us look not only at what the Federal Government is giving away, but also at what the Federal Government will keep. In many States, the Federal Government has kept less land than it gave away. Examples which might be cited include South Dakota. There, the Federal Government granted 7 percent of the total land area to the State, and now retains only 6.2 percent. In Oklahoma, the Federal Government today holds 2.3 percent of the State area, but its grants to the State government totaled approximately 7 percent. In my own State of Washington, where 29 percent of the State's area was given away in grants, the Federal Government retains about 30 percent of the area of the State.

FEDERAL HOLDINGS NOT DESIRABLE

The point is not that Federal landholdings are to be desired; as a matter of fact, excessive holdings of Federal land in the West are a continuing problem to our expanding industries and cities. The point, instead, is to put the giveaway charge in its proper perspective. When all the grants in Alaska will have been exercised by the new State, the Federal Government will still retain nearly 72 percent of the total area of the new State. Only in the case of the State of Nevada will Federal holdings be a greater proportion. Certainly this cannot be characterized as a giveaway. Any attempt to do so ignores the fact that the Federal Government has given greater proportions of its holdings to other States and private companies than it proposes to give to Alaska. These earlier grants were not called giveaways; they were hailed as a necessary encouragement for the future development of the new States.

For the information of my colleagues, I ask unanimous consent that there be printed in the RECORD, at this point in my remarks, a table indicating the various grants of public land made in a number of States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

| State | Total acres | Present Federal land | Present Federal reserves | Grants to railroad corporations | Federal grants to States | Federal grants (State) | Total Federal grants |
|---|---|---|---|---|---|---|---|
| | | *Percent* | *Percent* | *Percent* | *Acres* | *Percent* | *Percent* |
| Arizona | 72,688,000 | 44.5 | 40.6 | 11 | 10,543,753 | 14 | 25 |
| California | 100,313,600 | 47.0 | 29.6 | 12 | 8,832,893 | 9 | 21 |
| Colorado | 66,510,080 | 36.3 | 20.9 | 3 | 4,471,604 | 7 | 10 |
| Idaho | 52,972,160 | 65.2 | 42.7 | 2 | 4,267,866 | 8 | 10 |
| Kansas | 52,549,120 | .6 | ---------- | 8 | 7,794,668 | 15 | 23 |
| Montana | 93,361,920 | 29.9 | 22.8 | 16 | 5,963,338 | 6 | 22 |
| Nebraska | 49,064,320 | 1.4 | ---------- | 15 | 3,458,711 | 7 | 22 |
| Nevada | 70,264,960 | 87.1 | 19.3 | 7 | 2,725,826 | 3 | 10 |
| New Mexico | 77,767,040 | 33.7 | 15.0 | 4 | 12,803,113 | 14 | 18 |
| North Dakota | 44,836,480 | 4.2 | 3.8 | 24 | 3,163,552 | 7 | 31 |
| Oklahoma | 44,179,840 | 2.3 | 2.2 | ---------- | 3,095,760 | 7 | 7 |
| Oregon | 61,641,600 | 51.3 | 26.2 | 6 | 7,032,847 | 11 | 17 |
| South Dakota | 48,983,040 | 6.2 | 5.5 | ---------- | 3,435,373 | 7 | 7 |
| Texas | 168,648,320 | 1.5 | ---------- | ---------- | 180,000 | .001 | .001 |
| Utah | 52,701,440 | 70.2 | 47.9 | 4 | 7,523,942 | 14 | 18 |
| Washington | 42,743,040 | 29.9 | 28.6 | 22 | 3,045,751 | 7 | 29 |
| Wyoming | 62,403,840 | 47.8 | 20.5 | 9 | 4,342,520 | 7 | 16 |
| Alaska | 365,481,600 | [1] 99.9 | [2] 25.0 | ---------- | (103,350,000) | 28 | 28 |

[1] This would be reduced to 71.7 percent under H. R. 7999.
[2] Plus defense withdrawal area of 176,588,800 acres. Unduplicated reserves and withdrawals could constitute as much as 70 percent.

Mr. JACKSON. Other parts of section 6 of the bill before us deal with the method of selecting the land grants, protection of existing contracts for use of public lands, and application of existing laws to land usage and rights in Alaska.

Next in sequence are sections outlining Alaska's representation in Congress and the method of holding a vote to confirm that the people want statehood and are willing to assume the obligations of statehood. These are found in sections 7, 8, and 9.

One of the most important sections of the bill, one which erased the opposition of the administration, is section 10, which provides for the national defense withdrawal areas. Because of Alaska's strategic position in today's polar-oriented age, provision has been made for the President to establish national defense withdrawals in the area that can be roughly described as the northern and western half of the Territory. At any time after passage of the statehood bill, the President can, by proclamation,

withdraw as much land in this area as he feels necessary for the national defense. Immediately upon such a proclamation, the Federal Government will assume complete jurisdiction and sole legislative, judicial, and executive power within the area. There are specific exceptions, of course, in making allowance for cities and other political subdivisions. But the overriding concern is for the national defense, a concern fully shared and accepted by the people of Alaska. This section of the statehood bill was written by the Department of Interior, in consultation with the Department of Defense, and bears the specific approval of the administration.

ADMINISTRATION SUPPORTS DEFENSE WITHDRAWALS

To make perfectly clear the position of the administration with regard to Federal control of the defense-withdrawal area, I ask unanimous consent that there be printed in the RECORD at this point in my remarks a statement entitled "Governmental Powers in Established National Defense Areas," together with a letter from the Acting Secretary of the Interior to me transmitting the statement.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
*Washington, D. C., April 23, 1957.*

Hon. HENRY M. JACKSON,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR JACKSON: During the hearings on S. 49, you asked that we prepare for the record a statement pertaining to the civil rights of residents of Alaska in the event the President exercised the authority to establish special national defense areas in accordance with the provisions of our proposed section 10 of S. 49.

It is, of course, difficult to catalog civil rights as such, and we would not like to appear to foreclose the existence of any civil right to any resident of Alaska merely because of an inadvertence on our part. In addition, the discussion which took place at the hearing when the request was made, indicated that there was a need to clarify the relationship of Federal, State, and local authorities to one another upon the establishment of such a national defense withdrawal. Therefore, we trust you will agree that the enclosed statement setting forth not what civil rights exist, but the authority and the source thereof, the exercise of which might affect the rights of Alaskans, will clarify the position taken by the administration and provide a further record to indicate our intent in regard to the amendments we proposed.

Sincerely yours,

HATFIELD CHILSON,
*Acting Secretary of the Interior.*

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GOVERNMENTAL POWERS IN ESTABLISHED NATIONAL DEFENSE AREAS

Subject to certain specified exceptions, the basic concept on which the proposed section 10 is founded may be stated to be designed, in general, to specify that in such areas that are established, the administration of Government shall be exercised by Federal authority exclusively. Such administration of Government shall be based upon the Federal Constitution, Congressional enactments, and State laws, to the extent that they are not inconsistent with Federal laws applicable to the area.

Prior to the exercise of the authority by the President, the State will have concurrent jurisdiction with the Federal Government over all public lands, not otherwise areas of exclusive jurisdiction, such as military reservations established prior to statehood. This State jurisdiction would extend to police power, exercised by the State through legislative and executive action. The courts of the State would have jurisdiction over criminal and civil actions throughout Alaska. Municipalities, of course, would be the creation of and subject to State law.

If the President should exercise the authority to establish a special national defense area, the Executive order or proclamation would specify the area and could delineate exceptions from the requirement of exclusive Federal jurisdiction. In this statement, for the purpose of an example only, we assume that the President will issue an order which will acquire for the Federal Government complete Federal jurisdiction, subject to the specific exceptions set forth in our proposed section 10.

Upon the issuance of such an order, all State laws applicable in the area covered by the order become Federal laws for the purposes of administration and enforcement, except those of, or pertaining to, municipalities and voting privileges. All such laws would be enforced by the person or persons designated by the President. The Congress could, after the issuance of an order establishing a national defense area, amend, revise, or suspend such State laws during the period of exclusive Federal jurisdiction. In the event any State law, as adopted pursuant to proposed section 10, is in conflict with Federal law, such State law will not be adopted as Federal law for it is our intent to incorporate into these amendments a rule which is similar to the rule of international law which operates to continue in effect those laws of the former sovereign applicable in the area at the time jurisdiction is ceded to another sovereign to the extent that such laws are not in conflict with the laws or policies of the new sovereign, until such laws are modified or changed by the new sovereign.

However, our amendments specifically except from the State laws which would be adopted as Federal laws, those laws of, or pertaining to, municipalities, and State laws relating to elections. Also, the municipalities and other local subdivisions will continue to function under State law within the special national defense areas. One particular reason for this exception is the desire to preserve the right of such entities to carry out their school and local welfare programs. Outside of local political subdivisions, most of the burden of these programs is now on the Federal Government and will continue to be a Federal responsibility, regardless of statehood, so long as the native population continues under Federal supervision.

Jurisdiction over all causes of actions occurring or arising within established national defense areas, whether based on Federal law or State law adopted as Federal law, will be vested in the Federal District Court for the District of Alaska. The civil rights of any civilian within an established special national defense area would be determined by the Federal Constitution, laws passed by the Congress, and, to the extent that they are not in conflict with Federal law, the laws of Alaska as adopted by this act.

These amendments are designed to give the President authority to act, without the existence of a national emergency, to establish special areas which the President determines necessary for the defense of the United States. This proposal is not intended to authorize the creation of an area in which martial law would govern and it is not related to those conditions which would give rise to the exercise of martial law. If private property must be utilized for the defense effort within an established national defense area, it will be acquired through normal purchase or condemnation processes. Since 99 percent of the land north and west of the line is federally owned at this time, the problem of land acquisition should not be too acute. We believe that all private and personal rights of residents of any area, established under the terms of the proposed section 10 for special national defense purposes, will be adequately protected under the Constitution of the United States, the laws passed by the Congress, and the laws of the State not inconsistent with Federal law. The establishment of special national defense areas would in no way affect the continued applicability of the Bill of Rights and other constitutional safeguards to persons and property located within the area.

In summary, it might be stated that the only substantial change which would result from the establishment of such areas, insofar as persons or property would be affected, is that their rights would be enforceable only in the Federal court, whereas prior to the establishment of the special national defense area, rights of persons or in property would be litigated in a Federal or a State court, depending upon the established rules of court jurisdiction.

Mr. JACKSON. Mr. President, section 11 of the bill provides for continuing Federal jurisdiction over Mount McKinley National Park and existing military reservations. Sections 12 through 18 deal with the changeover from Territorial courts to State courts and a Federal district court. All of the remaining sections of the statehood bill provide the necessary amendments to existing laws, so that Alaska will have equal treatment with the other States with reference to immigration, Federal Reserve bank requirements, and other laws. There is also a provision to retain the jurisdiction of the Federal Maritime Board over waterborne commerce.

These, then, are the terms under which Alaska would be admitted to the Union of States as a full and equal partner. These are the terms that have been worked over and refined through years of study and thousands of pages of hearings. The first bill for Alaska statehood was introduced 42 years ago, and additional bills have been introduced in every Congress since 1943. Eleven hearings have been held—2 of them in Alaska, the others here in Washington. More than 4,000 pages of testimony have been published.

A TIME FOR DECISION

There can be no doubt that the record is complete. The facts are before us. All that remains is the decision. Certainly, no bill is perfect, whether it comes from the Senate or from the House. As an attorney, I might look at the bill before us and might point to language that—if no other considerations were present—I might want to change. But, as an attorney and as a Senator, I can look at the bill before us and can say with all honesty that it is a better statehood bill than has ever before been voted on by the Senate.

Our objective is statehood. It can be achieved now. Subsequent legislation may become necessary, as indeed has been the case following the admission of other States. But as we consider this bill, let us address ourselves to the one, single question: Are we for statehood

for Alaska, or are we not? Let history record our answer.

During the delivery of Mr. JACKSON's speech,

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. CHURCH. I commend the distinguished junior Senator from Washington for pointing up at this early stage in the debate the dangers which confront statehood in the event the Senate should choose to amend the bill. In that connection, the chairman of the Committee on Interior and Insular Affairs, the senior Senator from Montana [Mr. MURRAY], circulated a letter to the Members of the Senate stating the reasons why, owing to the peculiar parliamentary situation in the House, any amendment to the bill before the Senate might place statehood itself in fatal jeopardy.

Mr. President, I ask unanimous consent, with the permission of the junior Senator from Washington, to have printed in the RECORD the text of the letter signed by Senator JAMES E. MURRAY, chairman of the committee, and circulated to all Members of the Senate, so that it may become a part of the RECORD in the remarks of the Senator from Washington.

Mr. JACKSON. Mr. President, I ask unanimous consent, further, that this colloquy, together with the letter of the senior Senator from Montana, appear at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter ordered to be printed in the RECORD is, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
*June 17, 1958.*

HON. FRANK CHURCH,
*United States Senate,*
*Washington, D. C.*

DEAR SENATOR: The Alaska statehood bill, H. R. 7999, passed by the House on May 28, has been scheduled for action on the floor of the Senate in the very near future.

This bill does not differ in any important respect from S. 49, reported last spring by the Senate Committee on Interior and Insular Affairs. Thus, on the face of it, the situation is favorable.

However, if the Senate injects any amendments, a serious parliamentary entanglement would ensue. So far as I can now determine, there are only two methods whereby the House could send the bill to a conference. One would be by securing unanimous consent, and the other would be by way of clearance from the Rules Committee. It is apparent that unanimous consent could not be obtained, and previous experience with the bill before the Rules Committee indicates that affirmative action would not be forthcoming.

I therefore earnestly hope that all supporters of Alaska statehood, in the interest of the overall objective, will oppose any amendments and pass the bill as is. It is sufficiently satisfactory to E. L. Bartlett, Delegate from Alaska, and Alaska's Ernest Gruening and William A. Egan, both Senators-elect, and Ralph J. Rivers, Representative-elect, under the Alaska-Tennessee plan, so they feel it would be better to pass it in this form than to risk its being lost in a procedural snarl.

Sincerely yours,

JAMES E. MURRAY,
*Chairman.*

Mr. NEUBERGER. Mr. President, will the Senator from Washington yield to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Washington yield to the Senator from Oregon?

Mr. JACKSON. I am happy to yield.

Mr. NEUBERGER. I wish to commend the Senator from Washington, who, as chairman of the Territories Subcommittee, on which I am privileged to serve, is our floor leader in the historic effort to add a 49th star to the flag of our country. I think the Senator from Washington deserves a great deal of credit for the statesmanlike way he has presided over the hearings and the deliberations in our subcommittee, which have resulted in bringing this crucial issue for consideration to the floor of the Senate today.

He, like myself, has a geographic interest in this measure, because I think our two States of Washington and Oregon are the closest to Alaska and have the greatest ties and bonds with Alaska.

I should like to ask the able Senator from Washington a question, which has come to my desk a number of times, in regard to one of the provisions of the bill as passed by the House of Representatives. I shall do so because he has very correctly emphasized the importance of the passage, without amendment, of the bill as passed by the House of Representatives, so it can then go directly to the desk of the President for his signature.

In the bill as passed by the House we find a provision which deals with the great fisheries and wildlife resources of the present Territory of Alaska. It provides that the new State itself cannot take over the management of these wildlife resources—and by "wildlife" I mean big game, fisheries, and waterfowl and other bird life—until the management plan drafted by the new State government has been approved by the Secretary of the Interior. Of course, that means the Fish and Wildlife Service, which technically advises the Secretary of the Interior in regard to these matters.

It has been my impression that this provision is reasonable, that there is no reason for our even considering deleting it from the bill as passed by the House of Representatives, and that the Senate should approve it.

I particularly ask this question because, as the Senator from Washington knows, I have taken an especial interest in wildlife, in general; and in wildlife conservation, in particular.

So I should like to have him comment on that provision of the bill.

Mr. JACKSON. It is my understanding that this language was included after having been offered as an amendment on the floor of the House. I also understand that it was accepted by the chairman of the Territories Subcommittee of the House, and was accepted by the House unanimously.

I see nothing in the provision that will injure the new State or will be unworkable.

PROPER RESOURCE MANAGEMENT

As I understand, the philosophy behind this provision is that, inasmuch as fish and wildlife resources are a tremendous part of the overall resources of Alaska, it is the intent of the Congress to make sure that those resources are properly managed in the interests of the people of the new State. That being the case, it is the intent of the Congress to make sure that adequate provision has been made by the new State before its resources are turned over to it.

As the Senator from Oregon knows, the Fish and Wildlife Service now administers both fish and wildlife resources in the Territory. It has a very large number of personnel engaged in that effort. I understand the Department has no objection to this provision in the bill, because its ultimate objective is to provide for more effective management during the period of transition from Federal control to State control.

Mr. NEUBERGER. I am very pleased to have that explanation of this particular wildlife and fisheries provision from the Senator from Washington. I felt it was necessary to have the explanation in the RECORD because a number of Senators have asked about it. I join the Senator from Washington in believing, and stating very clearly, this provision should stay in the bill. I think it is reasonable. I know that the representatives of the Territory have no objection to it, and, we trust, those of the new State of Alaska will have no objection to it. I know outstanding conservation and wildlife and outdoor groups in our country support it. I feel our Fish and Wildlife Service, which has had such long experience in Alaska, will be reasonable and fair and equitable with respect to administering this particular section of the bill.

Mr. JACKSON. I think the fact that it was adopted unanimously by the House of Representatives speaks eloquently for it so far as the other side of the Capitol is concerned. To my knowledge, the members of the subcommittee are in agreement that it shall be our objective to pass the House bill without amendment, in order to avoid the possibility of the failure of the House and the Senate to enact this bill.

Mr. NEUBERGER. I quite agree with the Senator from Washington.

Mr. JACKSON. I should like to take this opportunity once again to express my appreciation, first to the ranking Republican member of the subcommittee, the Senator from California [Mr. KUCHEL], and then our colleagues, the Senator from Arizona [Mr. GOLDWATER], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Colorado [Mr. CARROLL], for the invaluable help given to our subcommittee, ably supported by the chairman of our full committee, the senior Senator from Montana [Mr. MURRAY].

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JACKSON. I am very happy to yield to the Senator from California.

Mr. KUCHEL. I should like the RECORD very clearly to indicate my own pride in my membership on the sub-

committee which drafted the bill. The subcommittee has been ably presided over by my friend from Washington, the distinguished junior Senator from that State [Mr. JACKSON], and he and I had the pleasure—and it was a pleasure—to listen, as members of the subcommittee, to the testimony which was adduced before us in support of statehood for Alaska. After hearing once again the evidence, we of the Territories Subcommittee painstakingly prepared a bill which subsequently was approved by the full committee on Interior and Insular Affairs and was reported to the Senate without one dissenting vote.

The patience and the ability, legal and otherwise, of the distinguished junior Senator from Washington have put their indelible stamp on the work of the Committee on Interior and Insular Affairs preparing and reporting the bill to the Senate. We now have before us the statehood for Alaska bill as passed by the House of Representatives.

I should like to ask my able friend whether, in his opinion, if the Senate approves the pending House bill, H. R. 7999, in its present form, the measure will substantially reflect the spirit and legislative intent of the bill so carefully and painstakingly worked out by his subcommittee providing for statehood for Alaska.

Mr. JACKSON. I am glad the distinguished junior Senator from California has asked that question, because it should be made clear that the Senate committee believes that most of the amendments were clarifying in nature and do not constitute a change in the policy of the bill. I have already described some of the major differences and their effect, and I shall mention two others in order to make clear what I mean.

LOGGING CONTRACTS

The Senate committee inserted some specific language to indicate that existing logging contracts, for instance, relating to timber in national forests, will remain in effect and that suitable water areas will be provided to allow the performance of those contracts as it was contemplated by all parties when they were executed several years ago. The Senate committee does not believe that the State of Alaska would, under any circumstances, attempt to interfere with the proper performance of such contracts, and, of course, the contracts are protected by the Constitution of the United States.

I refer specifically to contracts between private companies—pulp and paper companies—with the Forest Service.

Moreover, the committee believes the contracts themselves, which contemplate long periods of time for performance, carry the implied, if not the specific, provision that the operators will be entitled to use necessary means of access and water areas to fulfill the terms of the contract. Since we believe these conditions are required and will not in any event be interfered with, we do not consider it necessary to make specific mention of it in the act.

RIGHTS OF NONRESIDENTS

Another example is the provision the Senate committee included in section 4 of the bill, by which the future State was admonished not to discriminate against nonresidents—referring to individuals, partnerships, corporations, business entities of all kinds as well as to individual persons. This provision is, of course, a restatement of the constitutional law on this point, and we do not believe that it is necessary to restate it specifically in the bill. Obviously the lack of specific mention is not intended as meaning, and certainly will not be construed to indicate, that we favor any relaxation of the Constitution as it applies to other States.

In other words, the situation in which we find ourselves in connection with the discussion of the statehood bill on the floor of the Senate is that, in order to get a bill passed, we must pass the House bill without amendment. By taking up the House bill and not taking up the Senate committee bill, we do not want to create the legislative impression that we have dropped provisions in the Senate committee bill which were intended to clarify what might be construed as certain ambiguities in the House bill. In other words, it is our purpose to make it clear, and to make it a part of the legislative history and the record of this debate, that the action taken to get the House bill passed is purely a procedural one, and we do not intend to minimize the action previously taken by the committee.

I take it my colleague, who is the ranking minority member of the subcommittee, is of the same impression.

Mr. KUCHEL. I am, indeed, and I think it is extremely important that the RECORD demonstrate that the answer which the able junior Senator from Washington has just given represents the unanimous feeling of the Members of the Senate Interior and Insular Affairs Committee as it finally reported the bill to the Senate; and, beyond that, the legislative history as the junior Senator from Washington has made it in answer to my question represents, I feel sure, the intention by which the Senate will stand up to be counted on the House approved bill.

Mr. JACKSON. We believe the provisions referred to in the bill reported by the Senate committee are covered in the House bill. Our only point was that we thought our language was a little more clear, shall we say, on the specific points which were contained in the amendments as approved by the committee.

Mr. President, I yield the floor.

Mr. ROBERTSON. Mr. President, with all due deference to my distinguished colleague, the chairman of the committee [Mr. MURRAY], who devoted most of his remarks yesterday to the defense of the proposition that the bill to be acted on is pretty much like the bill the Senate committee previously reported, and therefore we should not be too critical of the differences; and with all due deference to my able and esteemed colleague from Washington [Mr. JACKSON], who has worked for years on this subject, who knows it as possibly no other man does, and who is as sincere in believing Alaska should have statehood now as I am in believing Alaska should not; let me say I can understand the uneasiness expressed by our colleague from California when he asks, "Can you assure the Senate that the House bill, which contains so many things different from the Senate committee bill, is to all intents and purposes the same as the Senate committee bill, and therefore Members of the Senate should stand up and be counted?"

Mr. President, let me remind my distinguished colleagues from the west coast that in April 1865, General Grant told us in the South substantially this: "There was a provision in the Constitution for you to come into the Union, but there is no provision for you to leave it." That settled that issue.

We are asked to vote on something which is irrevocable. It is as irrevocable as the laws of the Medes and the Persians. Whatever we do now for about 100,000 Americans in Alaska, who are fine citizens, is going to stand permanently. Whatever advantages we give them over the public domain, which now belongs to all the people of the United States, will stand as long as the Union endures.

The Senator says there is not much difference between the two bills. There is one little difference about how many acres are to be given to Alaska. I think there is a difference of about 80 million acres between what the House proposes to give and what the Senate committee is willing to give.

The House bill would provide that for 25 years Alaska can select the choicest areas which may subsequently be developed for oil and strategic minerals, and claim that land in tracts of a little over 5,000 acres. That provision was not in the Senate committee bill.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. We have an illustration in the civil rights bill.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I will yield in a moment.

Last year the Senate would not let the House civil rights bill go to the committee, as the rules provide, where it could have been analyzed before it came before the Senate for consideration and Senators could have been put on notice that the bill carried some provisions regarding the use of force, for instance, in the enforcement of civil rights decrees. That provision was in the House bill, but nobody knew it was there until the bill came on the floor and was subjected to debate.

It is now asked that we again bypass a committee. We have the hearings of last year with respect to Alaska statehood. There have been no hearings this year. We have no analysis of the House bill. We are asked to forget about what is in the Senate committee bill and accept an assurance that the differences are not too material.

Even though we know we could get a better bill, and even though we know

when we vote, assuming the bill passes—and all the proponents say it is bound to pass—that we cannot later change it, we are asked to take this action. The proponents say, "You cannot stop this bill. Everybody is for it except a few, perhaps, from the South, and they are probably misguided."

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. No chance is afforded to do what we could do. We are asked to forget about the limitation on territorial waters. We are asked to give Alaska something no State has ever had. We are asked to give them natural resources, of the Territory which no State has ever gotten before. We are asked to give them twice or three times as much of the public domain as all the last 10 Territories granted statehood have gotten together. Why? Because quick action is desired.

I will yield to the Senator from Washington in a moment.

There is a point I take exception to in the statement of my distinguished colleague, the Senator from Washington [Mr. JACKSON]. The Senator says the bill would be bottled up in the Rules Committee of the House, and that that matter is covered by the rules of the House. When a House bill comes back from the Senate with amendments, there are two ways by which the bill can be sent to conference. One is by asking unanimous consent to take the bill from the Speaker's desk and send it to conference. The other is by a motion to send the bill to the Rules Committee and get a rule to send it to conference.

My distinguished friend assumes that the bill would have to be acted on in one of those ways; that it would not be possible to get unanimous consent, and that if the bill went to the Rules Committee the bill might not come out again.

I invite the attention of the Senator to the fact that a motion to recede and concur in Senate amendments would take precedence over the rule governing sending bills to conference.

Mr. JACKSON. Mr. President, will the Senator yield on that point?

Mr. ROBERTSON. I yield.

Mr. JACKSON. Under the House rules, in order to move to recede and concur in a Senate amendment, the Member of the House must first ask unanimous consent to take the bill from the Speaker's table and then move to recede and concur in the Senate amendment.

If the course were followed in the House of adopting the Senate amendment, or if it were desired to send the bill to conference, as a condition precedent to either course it would be necessary to obtain unanimous consent.

I will admit to the Senator that I was a little "rusty" on this point, and I checked it with the House Parliamentarian.

Mr. ROBERTSON. The junior Senator from Virginia admits he has not been a Member of the House for 12 years, and he also is more familiar with the Senate rules. The Senate Parliamentarian informed me what the ruling in the Senate would be; that a motion to recede and concur would take precedence over a motion to send the bill to conference, and I assumed the ruling in the House would be the same.

Mr. JACKSON. The House Parliamentarian was my adviser on this subject, as the question would arise in the House.

Mr. ROBERTSON. I cannot argue with the House Parliamentarian about the interpretation of the House rules. Even if the House Parliamentarian be right, the Senator from Virginia still contends that, since this is our last chance to do what should be done, not only for Alaska but for the 172 million people of the United States who will be affected if around 100,000 people in Alaska are to be represented by 2 Senators, a representation equal to that of the 15 million people of New York, who are represented by only 2 Senators, we ought to be sure we are doing the right thing, because we cannot change it later.

Mr. JACKSON. Mr. President, will the Senator yield for two points of clarification?

Mr. ROBERTSON. I yield.

Mr. JACKSON. First, as to the amount of land to be granted, the amount in the House bill is identical with that in the Senate committee bill.

Mr. ROBERTSON. I believe I saw a report giving the figure as about 180 million acres.

Mr. JACKSON. It is 103,550,000 acres. That is the amount in the House bill, and that is the amount in the Senate committee bill.

On another point, with reference to a breakdown as to the differences between the House bill and the Senate committee bill, I included in my remarks and had printed in the RECORD earlier today a detailed analysis of the differences, which analysis is available.

Mr. ROBERTSON. That will be interesting information. As I said, we normally permit a House bill to go to the proper Senate committee. Then if the bill is reported by the committee, or if a Senate committee bill has already been reported, the committee states the differences and indicates to the Senate whether it wants to recede from its previous position.

In any event, those of us who do not serve on the committee should know what the differences are. I am sure that there are some material differences, although the objective, of course, is statehood.

I do not believe that the House bill properly settles the ownership and control of the offshore islands. I think there is vague language as to the jurisdiction over the land.

As I recall, there was no provision in the Senate bill that for 25 years the new State could select certain areas of its promised land and say, "This will be ours from now on."

I invite attention to another provision in the House bill. The Constitution provides that Senators shall be elected for 6 years. I think the House bill authorizes the election of one Senator for a long term and the other for a short term. That has never been done in connection with any other State. Senators were elected for the full 6 years. They then came before the Senate and were assigned to certain classes. One Senator was assigned to a class to hold office for a certain period, and another Senator to another. There was no attempt to run a bulldozer through the Constitution, as is proposed here.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. JACKSON. It is my understanding that in all the States Senators come up for election at different times, for their 6-year term. That being the case, it would seem, in order to have a logical base, that there must have been a short term and a long term in the beginning. How does the Senator account for the difference?

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I am glad to yield to the distinguished Senator from Mississippi.

Mr. EASTLAND. Is not the question of the class to which a Senator is assigned a matter for the determination of the Senate itself?

Mr. ROBERTSON. That is correct.

Mr. EASTLAND. It is beyond the power of a State to assign Senators to classes. Such a provision in the State constitution of Alaska would make it unconstitutional; and we would be called upon to ratify an unconstitutional instrument.

Mr. ROBERTSON. That is correct. That is one more objection to the bill. We took an oath to uphold and support the Constitution of the United States. As the Senator from Mississippi says, if the proposed State constitution is clearly unconstitutional, to vote for it would be to violate our oath. We ought not to vote for it.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. JACKSON. I am sure the Senator will agree that it is rather difficult to predict how the Supreme Court would interpret the State constitution.

Mr. ROBERTSON. The Senator is getting into a subject with respect to which I am at a disadvantage.

Mr. JACKSON. The only guaranty we can give to the new State is that its government will be republican in form. That word has no partisan significance. I am speaking of "republican" in the sense in which a political scientist uses the term.

That is our constitutional responsibility. In enacting the bill we make a finding that the government is republican in form. This requirement dates back to the Ordinance of 1787, in which the philosophy was first expounded. It was later confirmed by the Constitution, in Article IV, section 3, and Article IV, section 4.

Mr. ROBERTSON. The Senator from Virginia points out that in all previous instances, so far as he can recall, there was a simple motion to admit a State. The proposal then went to the Judiciary Committee for the arrangement of the terms, and to see that the State Constitution provided what was intended

to be provided. With all due deference, the bill should be reduced to a motion to admit, and then sent to the Judiciary Committee.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. EASTLAND. The distinguished Senator from Washington is very able. I have read the record of the hearings. He asked some very intelligent questions. Later in the debate I shall comment on some of the statements he made.

In the present instance we would have a State which was neither in the Union nor out. My distinguished friend from Idaho stated that statehood could be suspended for a while. The Senator realizes that that is something utterly unknown to the law.

Is not the distinguished Senator from Virginia amazed that the able and distinguished Senator from Washington should say that we should vote for something which is patently unconstitutional, in the hope that the Supreme Court would declare it to be constitutional?

Mr. ROBERTSON. I did not know that my friend went quite that far. He pointed to the decision in Brown versus Board of Education, in 1954, which greatly surprised the Senator from Virginia. On the basis of that decision, he asked, "Why should we be surprised at anything the Supreme Court does?" I think that was a general argument.

Mr. EASTLAND. The Senator from Virginia stated that the Senator from Washington said that we need not be surprised at anything the Supreme Court might hold. If that is what my friend from Washington said, I am in agreement. I do not believe he said it.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. JACKSON. The junior Senator from Washington merely made the observation that it would be rather difficult, perhaps, for the junior Senator from Virginia and the senior Senator from Mississippi to predict whether the Supreme Court would or would not hold the provisions in the Alaskan constitution to be constitutional. Am I to understand——

Mr. ROBERTSON. The reply of the Senator from Virginia was that the Senator from Washington had him at a disadvantage, because, if the Senator from Virginia were to proceed to make answer, he would have to admit that he could not predict anything the Supreme Court might be expected to say.

Mr. JACKSON. Therefore, I ask my distinguished and able colleagues, who are brilliant in the field of constitutional law, whether they do not feel that it would be almost impossible for this body to attempt to predict whether the Supreme Court would hold any provision in the State constitution to be unconstitutional.

Mr. ROBERTSON. When President Franklin Roosevelt was trying to push through the Guffey coal bill, and it was sent to the House Committee on Ways and Means, the President said, "If you have any doubts about constitutionality, resolve them in favor of those who want the legislation, and let the case go to the Supreme Court."

I did not take that viewpoint. I thought I was elected and took an oath to support and uphold the Constitution of the United States to as great a degree as members of the Supreme Court or anyone else, and that if a particular bill was unconstitutional, I should vote accordingly. I voted against the Guffey coal bill. The case went to the Supreme Court, and the Supreme Court declared the Guffey Coal Act to be unconstitutional.

If we think the pending bill is unconstitutional, we have as great an obligation to uphold and support the Constitution as has any member of the Supreme Court. We do not need to speculate as to whether the Supreme Court would or would not interpret the Constitution as it was written, or whether it would go far afield, on another Myrdal expedition, and say, "We cannot turn the clock back; statehood for Alaska has been long deferred and the action must go forward"—forgetting all the technicalities and the provisions of the Constitution. The Supreme Court might hold that statehood should be granted in the interest of sociology or for whatever other reason one might wish to assign.

Mr. EASTLAND. Mr. President, will the Senator from Virginia yield to me?

Mr. ROBERTSON. I yield.

Mr. EASTLAND. Mr. President, I ask unanimous consent to file three points of order against the pending bill. I ask that they lie on the table and be printed, to be called up at the discretion of the Senator from Mississippi.

The PRESIDING OFFICER. Without objection, the points of order will lie on the table and be printed.

Mr. EASTLAND. I should like to ask the distinguished Senator from Virginia a question.

Of course, the Senator realizes that the United States Supreme Court has held time and again that a State must come into the Union on a basis of absolute equality with other States. We must assume that the Supreme Court of the United States will adhere to its decisions since the founding of the Republic. That being true, does not the Senator realize that, with the withdrawal provisions in the bill, the State of Alaska could not come into the Union on a basis of equality with the other States, and that therefore the bill flies in the face of the Constitution?

Mr. ROBERTSON. The Senator from Virginia is opposed to the bill from every standpoint, including the constitutional standpoint.

Mr. EASTLAND. The Senator knows very well that, according to the testimony at the hearings, there would not be a uniform system of State taxation in the new State of Alaska. If the President should withdraw a certain area, that action would supersede the laws of the State; and the testimony was that the State of Alaska could not even enact a sales tax.

In addition, the public officials in vast areas would be out of office. They would be superseded by Federal employees appointed by the President of the United States.

The Senator realizes that that would be flying in the face of the Constitution of the United States, does he not?

Mr. ROBERTSON. Undoubtedly so. As the Senator recalls, in the very fine speech of the junior Senator from Washington he made reference to the fact that the national interest was protected because the Federal Government could go back into Alaska and withdraw anything that was absolutely needed for the national defense, or in the national interest. I assume that is the point mentioned by the Senator from Mississippi.

Mr. EASTLAND. I should like to read a statement by Mr. Stevens, of the Department of the Interior. He said: "Of course the Federal Government could not adopt such law, for instance taxing laws, which are inconsistent with the Federal Constitution."

Mr. ROBERTSON. That is correct.

Mr. JACKSON. Mr. President, will the Senator yield on that point?

Mr. ROBERTSON. I shall yield as soon as I have finished yielding to my colleague.

Mr. JACKSON. Will the Senator yield so that I may answer the Senator from Mississippi on that point?

Mr. ROBERTSON. I yield.

Mr. JACKSON. I should like to invite attention to the fact that in the withdrawal area, for purposes of national security, which area is roughly north of the Brooks Range and west of Fairbanks, the Federal Government retains the authority to withdraw a little over half of all the land in Alaska. Therefore ample authority is provided to do it.

Mr. EASTLAND. Under the Constitution of the United States it is not possible to do it. Even without declaration of martial law, under the provisions of the bill it would be possible to move 24,000 people who now inhabit that area.

Mr. JACKSON. "The Lord giveth and the Lord taketh away."

Mr. EASTLAND. That is exactly it. It is a State and it is not a State. Membership in the Union would not be as firm, even, as the membership of a college student in a college fraternity. "The Lord giveth and the Lord taketh away." We can give statehood to Alaska and the President can take it away. That is in violation of our system of government, that States are admitted to the Union only on the basis of absolute equality. That equality would be denied to the State of Alaska.

Mr. JACKSON. The land is granted to the new State. It is subject to certain conditions, of course, and there are ample precedents to support such procedure.

Mr. EASTLAND. I know the Senator is referring to what happened in New Mexico and Arizona. That involved an entirely different situation, and I shall discuss it at length later. It is impossible under the Constitution to give statehood with a limitation.

I should like to read what the Senator from Idaho [Mr. CHURCH], who is a very able Senator, has had to say:

So far I have not heard any testimony to indicate what handicap there would be to defense of either Alaska or the country if we granted statehood without limitation to the entire Alaska area.

The point is that statehood must be granted without limitation; otherwise, it is of no effect.

Mr. ROBERTSON. The distinguished Senator from Washington quoted from Job, but he did not quite finish the quotation. He said:

The Lord giveth and the Lord taketh away. Blessed be the name of the Lord.

I wish to quote from what Benjamin Franklin said when he was helping to frame the Constitution, which the Senator from Mississippi and I are trying to defend and preserve. Franklin said:

In this situation of this assembly, groping as it were in the dark to find political truth and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of Light to illuminate our understanding?

The junior Senator from Virginia is speaking in opposition to statehood, and he hopes that what he has to say will set off real debate on the whole matter.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. EASTLAND. The distinguished Senator from Virginia knows that any sovereign State has the power to pass laws which are effective within the State in fields in which the State is empowered to act. That is fundamental.

Mr. ROBERTSON. Yes. We believe that there is a definite separation of powers between the Federal Government and the States, and that when the 13 States formed the central government, they were sovereign States, and they retained that portion of their sovereignty which was not, either through express provision or necessary implication, conferred upon the central government; and that the powers of the central government, especially under the provisions of the 10th amendment to the Constitution, were specifically limited.

Mr. EASTLAND. And that would apply to the entire area of a new State, of course.

Mr. ROBERTSON. Of course.

Mr. EASTLAND. I should like to read from the testimony of the Under Secretary of the Interior, Mr. Chilson, which I submit is directly opposite to the provisions of the Constitution of the United States.

Mr. Chilson said:

Now, whether or not under our wording here Alaska could pass new laws to take effect within the withdrawal area—as the thing is written I have some doubts.

We are talking about a State which cannot even enforce sovereignty in half of its area. It is neither in the Union nor out of the Union. I am sure the Senator from West Virginia will agree that the bill flies in the face of the Constitution. If we were to admit Alaska, we would be committing an act which would violate the Constitution, and therefore would be void.

Mr. ROBERTSON. I believe that the proper thing to do with the bill would be to send it to the Committee on the Judiciary, to clear up the legal provisions, and either have a bill brought before us which would confer statehood upon Alaska in a constitutional way, or not confer statehood at all.

Mr. EASTLAND. I should like to read from what Mr. Stevens, the Solicitor for the Department of the Interior had to say:

The President, of course, could turn right around and appoint the Territorial or the State chief of police, and he could continue to enforce his own laws.

The Senator realizes that Alaska could not be admitted on the basis of equality when the President of the United States could supersede State officials and discharge them and appoint Federal officers and enforce laws of the State.

Mr. ROBERTSON. That is correct. Not one of the original States would have stood for anything like that.

Mr. EASTLAND. The fact that the new State would not have the power of other States is conclusive proof, is it not, that Alaska would not be admitted on the basis of equality with the other 48 States?

Mr. ROBERTSON. The conclusion is inevitable. This is a different procedure from that heretofore followed. The Senator from Virginia had already pointed it out. It is proposed to admit Alaska on terms different from those under which any other State has been admitted since the Union was formed. The Senator from Virginia does not see the necessity for all the rush now, when very serious problems have not been adequately considered and not resolved, and which cannot hereafter, as the Senator from Virginia has pointed out, be changed no matter how wrong the decision may be.

Mr. EASTLAND. The distinguished Senator from Virginia realizes that the testimony shows that if the State of Alaska, after withdrawal of half of its area, should enact a sales tax, which every other State in the Union has power to do and to make it effective within the confines of the State, such a sales tax would not be effective and enforceable in half of the land area of the proposed new State of Alaska. Is that a basis of equality?

Mr. ROBERTSON. The Senator from Virginia had not thought about that phase of it, but that certainly would raise additional serious objection to the plan here proposed.

Mr. EASTLAND. I have offered three points of order, and I believe they are absolutely well taken. I think the bill violates the Constitution of the United States.

If the points of order should not be sustained by the Senate, then I am prepared to move that the bill be referred to the Committee on the Judiciary. There has been no study made of the constitution of the new State. The Reorganization Act gives the Committee on the Judiciary the exclusive power to fix the boundaries of States. The Reorganization Act gives the Committee on the Judiciary exclusive power to consider legislation concerning the Federal court system in a State. All of that is being violated. It is being done after only 2 days of hearings on one bill; and, as I understand, the bill on which hearings were held is not the bill which is now being considered by the Senate.

Mr. ROBERTSON. The Senator is correct. Hearings were held on the Senate bill as reported last August; but on the House bill which is now before the Senate, only short Senate hearings were held. Only today a statement was placed in the RECORD on behalf of the subcommittee to show the differences between the two bills. As the Senator from Mississippi has so clearly pointed out, the very vital constitutional objection to the bill has never been considered by any committee.

Mr. EASTLAND. That is absolutely correct. Does the Senator from Virginia realize that the House committee inserted 69 amendments in the bill, and those 69 amendments have not even been considered by any Senate committee. What kind of legislative procedure is that?

Mr. ROBERTSON. The Senator from Virginia has just been glancing through some of the provisions relating to immigration laws. There are a number of such provisions coming from the original bill. We do not know what it is all about. No hearings have been held. There has been no analysis. We have no committee report to tell us why certain things were done.

All we are asked to do now is to abandon the bill which was reported by the Senate committee, and to take without question and without change, the House bill, for fear, because of what it was said would be the ruling of the House Parliamentarian—I am not too sure about this; but that is what is claimed by the proponents—that the bill would go back to the House Committee on Rules, which would keep it bottled up to the end of the session. That is what we, who took an oath to uphold and support the Constitution, are asked to do. We are asked to forget about the best interests of 172 million people of the United States in behalf of 100,000 people in Alaska, and to act on a statehood bill which in every respect is different from any such bill which has ever been enacted heretofore. The bill gives away millions of acres of public domain; it does not, as has always been done before, even reserve the mineral rights and the oil rights. It leaves up in the air how far out in the ocean the rights of Alaska shall extend.

A researcher who acted on my behalf has said that Alaska will extend out 100 miles and claim all the islands within that distance. Certainly even Louisiana and Texas never claimed that they could claim any rights more than 12 miles off the gulf coast. That is all they claimed. Texas claimed she had that right when she was an independent State, and presented a good argument to show that she had never relinquished her claim beyond the 3-mile limit.

But in this situation no limitation is definitely fixed as to the jurisdiction over oil under the waters, the fishing rights in the water, and the control of contiguous islands, even though they may be 50 miles away from the shore of the proposed new State.

I have stated so far one point. The population is too small to deserve the privileges or to discharge adequately all the obligations of a State.

The second point is that the resources have not been developed to such a point that they can support properly all the functions of State and local government.

In that connection, if I wished to do so, I could place in the RECORD a letter I received a few days ago from a person who said he had been in Juneau for 45 years. He said that the taxes in Alaska are higher than they are in any State in the Union. He said that Alaskans could not raise the taxes which would devolve on them if it became necessary to institute State courts to take the place of Federal courts; State police to take the place of Federal marshals; and to assume all the operations which are now being paid for by the Federal Government. He said that if it became necessary for Alaskans to provide all those services, they could not support statehood.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. EASTLAND. I think it is recognized by all, as I have said—and as I shall continue to contend—that any State which comes into the Union must come in on an equal footing with the other States. That is the only basis on which a State should be admitted. If conditions are imposed which impugn the sovereignty of the State, or which do not place it on an even footing with the other States, the action is void. I wish to read, on that point, from the hearings:

Senator JACKSON. I think it might be well, before we go through all of the amendments, if you could give to the committee, through counsel, here, the exact situation insofar as local police power, if any, will exist in the withdrawal areas.

The Chair understands that in the areas of withdrawal, local law will become Federal law—

That is admitted throughout the hearings—

and will be enforced by Federal authorities, save and except the right to serve civil and criminal process and the right to exercise the voting franchise in those areas. And that local law will be invalidated where inconsistent with Federal law.

Does that place this proposed new State on an even footing with other States, which is a rule governing the admission of new States into the Union?

Mr. ROBERTSON. Absolutely not. It is different from anything which was required of the 48 States now in the Union.

Mr. EASTLAND. The answer made by the representative of the Department of Defense, who was presenting this amendment, was:

Mr. DECHERT. Mr. Chairman, that is correct only, I think, after a withdrawal is made. Until the withdrawal is made, the land subject to withdrawal remains fully subject to the laws of the State.

The point is that with a withdrawal provision, Alaska would not be placed on an even footing with the other States of the Union.

Mr. ROBERTSON. If she were not, Congress would not be performing a constitutional act. We have no constitutional authority to create a second-class State.

I shall enumerate one other general objection. The geographic location of Alaska imposes a permanent handicap to the integration of its population as a homogeneous unit in our Union of States.

Senators may accept those objections, as I do, as adequate grounds for voting against the pending bill, or they may agree with those proponents of immediate statehood who argue that potential advantages outweigh the disadvantages. It is interesting to note, however, that the majorities of both the House and Senate committees which favorably reported H. R. 7999 and S. 49 last year seemed to find it easier to state the objections, which they then tried to refute, than to list and document positive benefits which the United States would derive from granting Alaska statehood now.

For example, the House report on H. R. 7999 devoted four pages to stating arguments against statehood and trying to answer them. It used another three and a half pages to discuss peculiar problems of Alaska and a page and a half arguing the readiness of the Territory for statehood at this time. In contrast, the section headed "Primary Reasons for Statehood," was only a little more than one page in length.

The first peculiar problem mentioned in this report arises from the fact that more than 99 percent of the land area of Alaska is owned by the Federal Government—a condition which the committee recognized as unprecedented at the time of the admission of any of the existing States."

The report pointed out that approximately 95 million acres, or more than one-fourth of the total area of Alaska, is enclosed within various types of Federal withdrawals or reservations for the furtherance of the programs of Federal agencies, and said:

Much of the remaining area of Alaska is covered by glaciers, mountains, and worthless tundra. Thus it appeared to the committee that this tremendous acreage of withdrawals might well embrace a preponderance of the more valuable resources needed by the new State to develop flourishing industries with which to support itself and its people.

Another problem recognized by this committee report, as in some respects the most serious of all is that of financing the basic functions of State government and especially road maintenance and construction in an area where great distances must be covered and costs per mile are exceptionally high.

At this point I digress to mention to the distinguished Senator from Mississippi the point he has been urging about what does not go to Alaska and what can subsequently be withdrawn, and to ask him, if he knows, who will build and maintain all the highways which will be necessary to connect the areas which will still be held by the Federal Government and the areas held by the State, when there is a great necessity to unite both parts? How will the road system be placed under single control for financing, maintenance, and general supervision?

Mr. EASTLAND. Mr. President, the distinguished Senator from Virginia knows that Alaska will not be a self-supporting State.

Mr. ROBERTSON. That is a conclusion I have reached. If Alaska will not be a self-supporting State, that is one reason why I will not vote to unload that expense onto the taxpayers of Virginia and the taxpayers of the other 47 States of the Union.

Mr. EASTLAND. I should like to call the attention of the Senator from Virginia—if he will yield briefly to me—to article 1, section 3, of the Constitution:

SEC. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for 6 years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year.

Is not that plain?

Mr. ROBERTSON. It is very plain. But the pending bill violates that clear provision of the Constitution. In doing so, the Congress would permit Alaska to have a State constitution which would provide for two Senators, neither of whom would be elected, as I recall, for 6 years. Instead, one Senator would have what is called a short term, whereas all the present States had to comply with the constitutional provision that Senators shall be elected for 6 years; and when their Senators reached the Congress, they were divided into the three classes.

Mr. EASTLAND. But the Senate itself did that.

Mr. ROBERTSON. Yes.

Mr. EASTLAND. But in this case, the constitution of Alaska would attempt to make the arrangement to which we have referred.

Mr. ROBERTSON. Yes.

Mr. CHURCH. Mr. President, will the Senator from Virginia yield to me?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Virginia yield to the Senator from Idaho?

Mr. ROBERTSON. I yield.

Mr. CHURCH. How would the Senator from Virginia propose to divide the two Alaskan Senators into three classes?

Mr. ROBERTSON. The three classes were formed at the time of the convening of the 1st Congress, so that one-third of the Members of the Senate would be elected every 2 years. But in the case of two Senators, they would go into two-thirds of three classes.

Mr. CHURCH. I think the answer the Senator from Virginia has given suggests the point I should like to make, namely, that the constitutional provision was designed to accommodate the situation which existed when the First Congress convened, when the Senate then consisted of two Senators from 13 States, but that that arrangement obviously is impractical in respect to a single State.

Mr. ROBERTSON. But our point is that it is not proper to disregard a constitutional provision merely because some may choose to regard it as impractical. For instance, the Chief Justice and the Supreme Court stated that it is impractical in these modern days to have segregation in the schools, and, therefore, he stated that he would write into the Constitution a provision that is not in it. Similarly, it is said that it is impractical to elect two Senators for 6 years, as the Constitution provides, and that, therefore, a different arrangement will be made.

Mr. EASTLAND. The Constitution provides that each State shall have two Senators, and that Senators shall be elected for 6-year terms. Yet the Constitution authorizes the Senate to divide Senators into three classes.

Mr. ROBERTSON. That is correct.

Mr. EASTLAND. As the distinguished and very able Senator from Idaho has stated, it might be regarded by some as impracticable to follow the procedure and precedents which without exception have prevailed during the history of this country, namely, that new Senators draw lots. One Senator may draw lot No. 1, and then he would be in class 1, and would have either a 2-year term or a 6-year term.

Another Senator might draw lot No. 2, in which case he would have either a 4-year term or, if the Senator who drew lot No. 1 received a 2-year term, the Senator who drew lot No. 2 would receive a 6-year term. That is the way the arrangement has worked throughout the entire history of this country. That arrangement has been followed without exception.

When Arizona was admitted, when New Mexico was admitted, when Colorado was admitted, when Iowa was admitted, when California was admitted, that system prevailed without exception. We cannot now say it is impractical, and that, therefore, the Senate can change the Constitution of the United States.

So this measure is void.

Mr. ROBERTSON. Mr. President, the Senator from Mississippi is entirely correct.

Mr. President, I shall proceed now with a brief discussion of what I believe is a close approach to doubletalk in the committee report. The report says that the proposed legislation would take care of the distorted landownership pattern, and would provide sources of State revenue by land grants to the new State aggregating 182,800,000 acres—a figure, incidentally, which was reduced to 103,350,000 acres in the bill as passed by the House. So the report is in error, because the bill we are now considering calls for land grants totaling 103,350,000 acres, or materially less acreage than the amount set forth in the committee report.

Except for 400,000 acres to be taken from national forests and 400,000 acres adjacent to established communities for prospective community centers and recreation areas, however, all of this land would have to be selected from public lands which are "vacant, unappropriated and unreserved and which are not included in areas subject to military withdrawal, unless specifically approved by the President."

The question arises, If, as stated on the preceding page of the report, the "preponderance of the more valuable resources" of Alaska already are included within acreage withdrawn by the Federal Government and reserved for its agencies, and if much of the remainder is indeed "glaciers, mountains and worthless tundra," how can the new State expect, even with such an extensive land grant, to find the resources to support itself and its people?

The uniqueness of the Alaska land situation is further emphasized in the committee report, which points out that on the occasion of admission of existing States land grants amounted to a maximum of 6 to 11 percent of the total land area, and much acreage already had passed into private taxpaying ownership, whereas in Alaska, even after a grant of unprecedented proportions to the proposed State, the Federal Government would continue to control more than two-thirds of the total acreage and an even larger percentage of the resources.

To alleviate this situation to some extent, the bill proposes to share with the State profits from Government coal mines, mineral leases, and the fur monopoly, which, of course, would make the State government a pensioner dependent on the Central Government to a much greater extent than the existing States which already, in my opinion, have jeopardized their constitutional rights by too ready acceptance of Federal handouts for a variety of public works and welfare programs.

The report to which I have been referring suggests that a long list of potential basic industries can exist in Alaska now only as tenants of the Federal Government and on the sufferance of various Federal agencies, and implies that there will be a great rush of private capital to the new State. There is a dual danger involved in this change, however. On the one hand, the State, if it succeeded in obtaining valuable resources through its choice of unreserved public lands, might prove to be fully as unsatisfactory a landlord as the Federal Government. On the other hand, if the State sought to dispose of these assets in rapid order, to raise funds for its operation, the process, especially in the hands of inexperienced public employees, might involve favoritism and irregularities which would make the Teapot Dome affair seem trivial by comparison.

Another example of contradictory statements is found on page 9 of the committee report. In one paragraph it is stated that committee members recognize there will be added costs of statehood that are now being borne by the Federal Government, but that Territorial legislators expect this to be offset by participation in Federal programs from which Alaska has been omitted. Another paragraph says the grant of statehood would mean some saving to the Federal Government, as the people of Alaska take over part of the burden of supporting governmental functions. Mr. President, either the Federal Government will save money by shifting the burden of some functions to Alaska, or the new State will gain by obtaining more grants from the Federal Government, but the balance of saving cannot be on both sides at once. And, of course, insofar as statehood involves additional government organization and more levels of employees, there will be increased costs for someone to pay.

The statement to which I have just referred—about the possibility of the Federal Government saving money through statehood—is part of the brief section headed "Primary Reasons for Statehood."

That section frankly admits that in considering extension of statehood to any Territory "it has never been possible in our history to specify in precise terms the exact benefits to be derived," and says that "it is not possible to say definitely in what particular respect the admission of Alaska will strengthen the Nation."

Aside from the vague and contradictory claim I have quoted, that the Federal Government might save some money by granting statehood, this part of the report suggests that matters of local concern can best be determined and most efficiently managed by those most directly affected, and that statehood will permit and encourage a more rapid growth in the economy of the Territory by opening up resources and by providing representation in Congress to advocate policy changes that would stimulate growth.

I am a firm believer in maximum use of State and local authority and a minimum of Federal interference, in line with the philosophy of Thomas Jefferson, who believed the central government should do only those things which the smaller units cannot do for themselves. As a matter of practical application, however, I find it difficult to equate the concept of a State control which would be superior to Federal control because it is closer to the people, with the situation in Alaska, which stretches over an area practically as wide, from east to west and from north to south, as the continental United States.

Local governmental units can, and will, exist, regardless of whether the area is a Territory or is a State. The question is whether members of a State legislative body representing Attu and Ketchikan, which are as far apart as Los Angeles and Savannah, Ga., and representing Point Barrow and of parts of the Aleutian Island chain, which are as far apart as the Canadian border and El Paso, Tex., will have a sense of unity that will create a control much more

localized than that which can be provided under the delegated authority given to the Territorial government.

Whether a State government would promote more rapid economic development than would a Territorial government, would depend on the amount of confidence the State government could inspire among businessmen and investors. A stable State government might reassure those who have feared shifting Federal-control policies. On the other hand, a State government torn by local politics and subject to pressures which could be applied in sparsely settled areas where one man or corporation may wield a powerful influence, might inspire even less confidence.

The only additional ressons for statehood advanced in this section of the report are that it would strengthen our foreign policy by proving Americans still believe in equal rights and justice for all, and that it would demonstrate to the world that Alaska is an indissoluble part of the body of the Nation. Our actions during World War II and our present defense installations in Alaska should leave little room for doubt in any part of the world as to our intention to protect the integrity of the Territory against any form of invasion. So far as equal rights and justice are concerned, the treaty of 1867, by which we acquired Alaska, assured full rights of citizenship to its inhabitants; and the act of 1912, which created the Territory gave it full protection of the Constitution and laws of the United States.

In short, the House committee report on H. R. 7999 was a fumbling and apologetic document which failed to make out a positively convincing case for statehood and did not answer, to my satisfaction at least, the opposition arguments which it was frank enough to recognize.

Its weakness was made more apparent, also, by the minority report signed by six members of the House Judiciary Committee, which pointed out the exaggerated political power which would be given to a small group of voters if Alaska were allowed to name a Representative and two Senators, and the dubious financial basis on which the proposed State government would be launched.

Now, let us look at the Senate Judiciary Committee report on S. 49, which was issued last August. Here again we find that the authors required three pages to discuss argument against statehood, but only a page and a half to state all the reasons they could think of favorable to statehood.

In summarizing the positive argument, this report said:

> There are four primary reasons why Alaska should be granted statehood: It would fulfill a long-standing legal and moral obligation to 200,000 Americans, it would benefit Alaska, it would strengthen the Nation internally, and it would prove our adherence to the principles that guide the Free World.

The brief reasoning in support of these points follows the same line as the House report, and the observations I made in that connection would apply here as well. It might be added, however, that the first point as to an alleged legal and moral obligation to grant statehood at this time is refuted on its face by the report's own quotation from the 1867 treaty, which said inhabitants who chose to remain in the ceded Territory "shall be admitted to the enjoyment of all the rights, advantages and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, subject to such laws and regulations as the United States may, from time to time adopt in regard to aboriginal tribes of that country."

That treaty has not been violated under the territorial form of government, and the treaty made no specific promise of statehood. It is true, as the report states, that the Supreme Court has said an incorporated Territory is an inchoate State and that its incorporated status is considered an apprenticeship for statehood. There is no argument about Alaska being a potential candidate for statehood, and I certainly would not say that form of government never should be granted. I merely say the period of apprenticeship has not yet been satisfactorily completed, for reasons which I have mentioned briefly, and which I shall discuss at more length later.

The desperate efforts of proponents to make their case look good is illustrated, incidentally, in the part of the Senate report where reference is made to "200,000 Americans" to whom we are legally and morally obligated to give statehood rights. Now, the total population claimed for Alaska, on the basis of latest census estimates, is 212,000, and that includes 35,000 Aleuts, Eskimos, and Indians, who, under terms of the pending bill, would remain wards of the Federal Government. That leaves only 177,000 Americans, and even that total includes about 47,000 who are in military service and another 20,000 military dependents. These 67,000 Americans, who were sent to Alaska as a result of military orders, and who will be removed and replaced in time by other military orders, are citizens for the most part of existing States. They would not acquire Alaska State citizenship, and as loyal citizens of other States, even though temporary residents of Alaska, they would not want it. Therefore, any possible moral or legal obligation would apply to only about 110,000 Americans, rather than 200,000, to whom statehood rights might conceivably be owed.

At this point I wish to refer to the fact that in the very able and splendid speech of Judge HOWARD SMITH, of the Eighth Congressional District of Virginia, he gave figures which showed that there are less than 100,000 American citizens, exclusive of the military, now in Alaska.

But I am taking the census figures and the figures of the military and, for the sake of argument, accepting the proper figure, although there seems to be no real agreement on the subject, as being 110,000, or less than one-third the population of a normal Congressional District, as the 48 States are now organized—with all due deference to my distinguished friend from Louisiana [Mr. LONG], who is present on the floor. The election of a Representative in Congress from Alaska would result in a loss of a Representative by one of the existing States. Perhaps it would be applicable to Louisiana, because it would have to apply somewhere. Both Virginia and Louisiana are on the borderline, and Virginians would much rather that a Representative be taken away from Louisiana than from Virginia.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LONG. The Senator from Virginia is making a notable argument, but how can we States Righters vote against statehood? Personally, being a States Righter, I shall support statehood for Alaska.

Mr. ROBERTSON. The first obligation of the Senator from Louisiana is to the 172 million people of the 48 States. We cannot do justice to them if we admit a noncontiguous Territory with a population of about 100,000. If it is done, we will dilute the rights the people of the 48 States now have. That is the first point.

Second, this country would have to give support to the new State far and above anything that has ever been done before.

Mr. LONG. If the Senator will yield further, a great Virginian by the name of Thomas Jefferson and another great Virginian who was President at the time made it possible that certain territory be acquired so that Louisianians might share some of the power of the great State of Virginia. It would seem to me that perhaps we should show some of the same deference to a great area the people of which want to become a State. I wonder if we should not cast some bread upon the water.

Mr. ROBERTSON. The Senator from Virginia appreciates the reference to Thomas Jefferson, who was one of the greatest of philosophers. Nothing illustrated his wisdom more than his buying, for 15 cents an acre, a great area that included what was to become the great State of Louisiana. There were fine people in that area. They were cultured people. They were self-supporting people. The port of New Orleans was the greatest port in the South. We obtained an area which already had a cultural and economic development. When we bought that territory the good people of Louisiana became a part and parcel of the Union.

The facts I have stated would not apply to an area which lies beyond the boundaries of Canada and in the frozen wastes. We are spending a great deal of money in that Territory. Much of the money which goes into that Territory is for the support of 50,000 military personnel and for construction work going on there, money spent on the DEW line, airfields, and other activities.

As I had stated before the Senator from Louisiana came on the floor, it was specifically provided that the people of that Territory should have all the freedom guaranteed under our laws. We have given them that freedom. We did not agree to give them the privilege of State government, and control of the area as a State.

As pointed out by the distinguished Senator from Mississippi before the Senator from Louisiana came to the floor, it is not proposed that we do that in this bill. We shall have a kind of halfway provision. There would be mixed control in Alaska.

We reserve the right, if an emergency should arise, to take from the State some of the land which was thought to be theirs. Under the fundamental law, we do not have a constitutional right to do that. Neither do we have a constitutional right to permit the adoption of a State constitution which prescribes how Senators shall be classified as to their terms, since the Constitution of the United States stipulates that Senators shall be elected for 6 years and the Senate shall provide three classes. A Senator must go into one or another class, and in that way only one-third of the entire membership comes up for election at one time. Thereby, the Senate became what the House is not, a continuous legislative body.

I respect the views of the Senator from Louisiana. I know he is in favor of the bill, and is sincere in his advocacy of it.

The Senator from Louisiana has just as much right—I would not say he has good reasons, but he has just as much right to be in favor of the bill as the Senator from Virginia has to be against it. At any rate, the Senator will have a full opportunity, before the debate is over, to tell the Senate the reasons he has for supporting the bill.

In the meantime, as the Senator from Virginia indicated at the start, he is simply offering some points for discussion. We are a long way, in the opinion of the Senator from Virginia—unless we are kept here until 12 o'clock tonight, to beat Senators down—from reaching a final vote on the bill. There are many points which need to be looked into and discussed. I do not mean the discussion will be aimless, simply to kill time. The discussion will be on matters which vitally affect the principle that we have heretofore never gone beyond the continental confines to admit a Territory to statehood.

If we take this action, we will be urged undoubtedly, to admit Hawaii as a State. After all, is there not as much a commitment in the demagogic planks of both parties for Guam and Puerto Rico as for Hawaii and Alaska? I do not know how we will be able to provide statehood for Alaska and not for other Territories. All of those are covered. If we are to be bound by what is done in a convention, which everybody expects after the election to be forgotten, we are as bound with respect to all four as we are bound with respect to Alaska.

We are now told, "No, we will not admit Hawaii." The distinguished chairman of the committee said yesterday, "I am in favor of statehood for Hawaii, but if we put Hawaii in this bill some of the Members of the Senate who will be afraid of Communist control and other things in Hawaii will vote against the whole bill." Therefore the Senator says, "Let us leave Hawaii out of the bill now and take up that matter later."

I understand the distinguished minority leader has put us on notice that when the bill presently under consideration has passed he is going to make an immediate motion to take up the bill providing statehood for Hawaii. I may be a little late in the session to get action on both in the Senate and in the House on statehood for Hawaii, but nobody should feel, once we establish the precedent of admitting into the Union a Territory which is noncontiguous, that there will ever be much argument against taking in Hawaii as a State, since the population in Hawaii is so much larger, and the climate is extremely salubrious. It is 72 degrees in the winter and the summer. Flowers bloom in such profusion that the people there can put garlands around their necks without any cost whatever. It is a lovely place. Everyone who goes to the Hawaiian Hotel, puts a longhandled spoon into a ripe pineapple, sees the dancers, hears the music and views the moonlight, comes away to say, "We must have Hawaii in the Union as a State. It is not fair to that wonderful island that it should be kept in a colonial peonage status."

The same is true of those who like the roughness of the wild, who love the softness of the snow under their feet. They go to Alaska, and recite the beautiful words of Robert William Service:

I've stood in some mighty-mouthed hollow
That's plumb-full of hush to the brim;
I've watched the big, husky sun wallow
In crimson and gold, and grow dim.

They say, "Certainly a wonderful Territory such as Alaska must be given statehood."

I am trying to get down to terra firma. I am trying to get my feet on the earth. I should like to look at the facts, separated from emotionalism and favoritism.

When we talk about a wilderness spot such as Alaska, on the one hand, or a beauty spot like Hawaii on the other, or any other beauty spot, one might wish that they were contiguous to the mainland. I say, however, we are asked to set a dangerous precedent and, once the precedent is established, we will be pressed to extend it to other noncontiguous Territory.

How many in Alaska want statehood, how many are opposed to it, and how many simply do not care is an unanswered question. The only official referendum on the subject was held in 1946 and although statehood advocates boast that the vote was two to one for statehood, they usually do not mention that the actual vote cast was only 9,630 for and 6,822 against. Neither do they make clear that the question asked was whether the voters approved statehood as such, not whether they thought the time had come to grant it. Therefore, all we can be sure of is that 12 years ago about 10,000 persons in Alaska thought they wanted statehood at some unspecified time.

The Territorial legislature has acted since then on the assumption that a majority of the residents want statehood now and the voice of the legislature has been accepted as the voice of the people. Last year, however, an informal newspaper and radio poll of sentiment brought a response of more than two to one against statehood, and Mr. William Prescott Allen reported to the Senate committee that a survey covering 75 percent of the people of Alaska indicated they stood more than two to one against statehood.

The truth of the matter is that on the basis of House and Senate committee reports and other statements of its advocates, the case for immediate statehood for Alaska should be thrown out for lack of convincing evidence.

The proponents themselves boast of the progress the Territory has been making during the past few years, in population growth, in tax collections, and in economic development. If things are going that well, no hasty action is required. We can afford to wait a little longer and find out whether the population trend is on a permanent upgrade or whether it has only been temporarily inflated by defense activities. We can afford to observe the trend of economic indicators when military building programs are completed and lessening of world tensions permits withdrawal of some personnel. In other words, the status quo involves no emergency except for those with political debts to pay or political axes to grind, but a change to statehood is not reversible and if we make a mistake in taking that step now, the penalty may be heavy.

Now let us consider the specific objections to immediate statehood which I mentioned at the outset of this statement.

First, there is the population question.

As I have just indicated, the presently estimated total population of 212,000 includes only about 110,000 American civilians. Proponents of statehood speak impressively of the percentage increase in population of Alaska in recent years, but slur over the small number of persons involved in a change which started from a low-base figure. On the other hand, when they compare Alaska's present population with that of other States at the time of their admission, they like to use numbers of people and ignore percentages. For example, it sounds fine to compare Alaska's current estimated population of 212,000 with California's population of 92,000 in 1850. But California's 1850 population represented approximately 0.4 percent of a total United States population of 23 million while Alaska's 1957 population amounted to a little more than one-thousandth of our total population of 171 million.

Growth factors also are distorted by assuming, without sound justification, that Alaska's future population changes will be entirely different from what they have been in the past. Again using California for comparison: The 1850 population of 92,000 existed 2 years after the start of the gold rush of 1848. By 1860 the population of California had increased to 379,000 and by 1890 it was 1,213,000. The upward trend continued steadily with a count of 2,377,000 in 1910 and 3,426,000 in 1920, showing obviously that those who went in search of quick fortunes found the land to their liking and attracted a steady stream of others who wanted to make it their permanent home.

In contrast, Alaska which had a population of about 30,000 when it was acquired in 1867 and of 32,000 in 1890 jumped to 63,000 in 1900, following the Klondike gold rush of 1896, but in 1910 the population remained at 64,000 and in 1920 it had dropped back to 55,000. In 1930 it still was only 59,000, demonstrating that this area did not have characteristics which appealed to large numbers of permanent settlers.

The lure of quick fortunes attracted adventurers and some hardy pioneers remained, to whom all honor is due. They are fine citizens and worthy successors to our early American pioneers. But their kind of life does not appeal to the average man, who wants to give immediate advantages to his family and to develop the kind of home which was made by those who settled the Valley of Virginia, the great plains of the Midwest or the sunny valleys of California. It was in vain that the Federal Government offered bounty lands to veterans of World War I and spent more than $1,000 an acre on subsidized farms. The population has nearly tripled since 1940 only because thousands of men in uniform were sent there under orders and other thousands were attracted by high rates of compensation to provide housing and other facilities and services needed by these involuntary colonizers. There is as yet, however, no real evidence of a genuine boom in population.

The static nature of Alaska's population figures is not a cause for serious concern in itself, but it is important that it be recognized when we start to talk about statehood which would involve a seat in the House of Representatives and two seats in the United States Senate.

The average Congressional District has three times the American civilian population of Alaska, which means that the Alaskan voter would have three times the influence of the average voter in the continental United States on legislation in the House of Representatives. In the Senate 2 men from Alaska representing less than 150,000 civilian residents, including the protected natives, would have the same voting power as the Senators from the largest States of the Union.

I realize, of course, that if Alaska becomes a State, it must have two Senators under our system of government, but to say that this small segment of isolated people is entitled as a matter of right to such disproportionate representation is to misunderstand the basis of our Government.

The compromise reached by the authors of our Constitution in their effort to establish a workable Federal Government and at the same time protect local rights and individual liberties by recognizing some elements of State sovereignty included a House of Representatives where representation was based on population and a Senate in which each State would be equally represented.

When this was done, however, each State had vested interests which it was sacrificing in return for the right of Senate equality. As new States were admitted after adoption of the Constitution, no such fundamental right was involved, but only the question of whether or not the existing States were willing to share their privileges with new groups and the favorable decisions were encouraged by the fact that in many cases new States were carved out of older ones and it was a case of the parent recognizing the maturing of a child. In the case of areas obtained by treaty, there still was the bond of settlers who had gone from the original States and that, of course, applies also to Alaska.

But, while it is quite in order to give Alaska two Senators whenever the present States feel such representation is deserved, there is no basic right of Alaskans to demand such representation at any particular time. The analogy might be suggested of a group of businessmen who form a corporation with each contributing assets and in return receiving an equal number of shares of stock. Later on employees may make contributions of services to the company on the basis of which they are given blocks of voting stock, but in such cases the reward must first be earned and the decision lies within the discretion of the existing stockholders.

My point is simply that as of now the Territory of Alaska does not have enough population to deserve full shareholder's rights in the Senate of the United States, and to grant that privilege would be an injustice to the other States.

I must confess that I feel strongly on this point because of my personal fear that Alaska, with the pressing need for development funds and the heavy burden of taxation, to which I shall presently refer, would be represented in the Senate by men who would gravitate naturally to the side of liberal spenders and proponents of more and bigger grants from the Federal Treasury.

The people of Virginia generally stand for conservatism in fiscal policies and for limiting activities of the central government. I do not want to see the 2 votes by which 3½ million Virginians are represented in the Senate nullified on questions of economy and other basic issues by Senators who will speak for less than 200,000 residents of Alaska.

My second point is that Alaska is unprepared for statehood today, not only from the standpoint of population, but also from the standpoint of developed resources and ability to carry the financial burdens.

One reason that previous efforts to give Alaska statehood failed was the obvious difficulty the State government would encounter in raising revenue from an area 99 percent of which was owned by the Federal Government. To attempt to meet this problem, each succeeding bill proposed to give the new State a larger grant of lands, culminating in the House bill offered last year which would have assigned 182,800,000 acres, or nearly half the total area. That amount was scaled down before the bill was passed to around a third of the total and, as I have indicated, the value of what the State could get is left in doubt because of restrictions on the takings.

In hearings held in 1950, Father Hubbard, the glacier priest who had lived in Alaska for 23 years, said he was for eventual statehood but did not want to see Alaska precipitated into it with too many problems unsolved. He said he fully approved the American attitude toward taxation without representation, but in the case of Alaska he wondered if there would not be too much representation with too little taxation. That question still can be raised with justification.

A witness at the Senate hearings last year said S. 49 was one of the most beautiful bills ever produced on statehood. She said she also believed the Cadillac is a very beautiful car but "if I cannot afford to buy a Cadillac, I would rather do with my Ford until I can afford one."

Last year's House minority report on H. R. 7999 said there was a serious question as to whether the Alaskan economy could finance the added burdens of statehood, pointing out that it is on an artificial basis, bolstered by huge Federal handouts. It said the 1958 budget provides for a total civil-Federal expenditure in Alaska of $122 million, not counting military expense and construction expenditure at a $350 million annual rate, and contrasted these figures with total income from all private industry in Alaska of only $160 million a year. It suggested that territorial taxes, already higher than those of any State in the Union on a per capita basis, might well become prohibitive under statehood and discourage the saving of capital for investment, thus retarding development of the economy.

I previously have referred to the problems recognized by sponsor of this legislation of building the tremendously expensive roads Alaska will need before its natural resources can be unlocked and of providing the civil services needed to encourage growth of the tiny population spread over an area a fifth as large as the United States—a population density of only 22.5 persons per hundred square miles.

There is danger, on the one hand, that development will not be rapid enough to meet the financial demands of an efficient State government. There is danger, on the other hand, that in trying to meet those demands resources which are assets of the whole United States will be wasted or improperly distributed to favored interests.

My Senate colleagues know of my lifelong interest in outdoor life and in conservation of wildlife and other natural resources; and because of this background I am especially concerned by possible abuses under the proposed terms of statehood.

Since the House passed H. R. 7999, I have received a letter signed by representatives of the Wildlife Management Institute, the American Nature Association, the National Parks Association, the National Wildlife Association, Nature Conservancy, and the Wilderness Society, warning that "the stage already is set in Alaska for the commercial interests to take over the administration of the invaluable fish and wildlife resources upon statehood."

This letter pointed out that under a law passed last year by the Alaskan Legislature commercial interests are assured complete domination of the Territory's fish and wildlife resources. These conservation groups are strongly opposed

to the Federal Government relinquishing management of these resources until the new State legislature makes provision to protect the broad national interest in them.

An amendment providing that the Federal Government shall temporarily retain management of these resources was adopted before the House passed the bill, but, as I have indicated, the private conservation groups which want to be sure that amendment is retained by the Senate have seen evidence of an intended resource grab and they remain concerned. I shall not discuss this in detail now, but would refer my colleagues to the debate on pages 9748–9750 of the CONGRESSIONAL RECORD of May 28, 1958.

There may well be concern also about possible attempts to grab resources of untold commercial value in what is now recognized as one of the most popular areas in the world for oil wildcatting.

These possibilities point up the importance of giving full statehood powers only to a governmental organization which will be politically mature and which will be representative of a group large enough and sufficiently diverse to require that the public interest prevail over greedy manipulators.

Mr. President, I already have talked longer than is perhaps worth while in view of the improbability that what I say here will influence those who have committed themselves to passage of this bill, but I want to conclude with a renewal of the plea I made on this floor in 1954 against establishing a new precedent of national expansion by admission of a State not contiguous to the continental United States.

Opposing the entry of Texas into the Union in 1845 Daniel Webster spoke of a very dangerous tendency and of doubtful consequence to enlarge the boundaries of our Government, and said:

> There must be some limit to the extent of our territory, if we are to make our institutions permanent.

We may concede now that damage Webster feared as a result of admitting Texas to the Union and the admission a few years later of California have not materialized. The fact remains, however, that we must by policy fix some limit to our expansion and Alaskan statehood would represent a shift in policy.

Texas, California and the Northwest Territory were remote from the standpoint of travel time and travel difficulties when previous statehood questions were decided and it may be admitted that those who are willing to fly over wild and undeveloped country can make quick trips today to and from Alaska. However, all travel was in a comparatively primitive stage in the early days of our Nation and as communication facilities improved, the Western area of the United States responded with rapid population increases and resource development. Comparatively speaking, Alaska still is much more remote and isolated from day-to-day dealings with the United States than the last States previously admitted and this difference always will remain.

Our ties with Alaska consist of a single highway traversing a foreign nation, ocean routes which are closed by ice for long periods, and very limited air transportation. The workingman from New England or Virginia can get in his car and take his family for a vacation visit to California or Oregon, and the ordinary man on the west coast can make similar visits to the metropolitan areas and historic shrines of the eastern seaboard. Their contacts promote homogeneity in information, ideas, and ideals which cannot be achieved in the same way between the average resident of Alaska and of the continental United States.

I am not implying that Alaskans are un-American in their attitudes and beliefs. A majority of them come from American backgrounds and their very presence in a largely undeveloped area indicates laudable qualities of initiative and courage. In that respect, I might say, that I feel the population of Alaska as a whole is much more suited to assume statehood responsibilities than the larger population of Hawaii.

But, the physical separation of these people from the main body of United States citizens makes it more difficult for them to understand national problems and viewpoints, and I therefore fear the influence on our national welfare which might be exercised by representatives in the Congress casting votes to represent them.

More serious than the question of bringing such a new influence into our national legislative body to the extent of 1 vote in the House and 2 in the Senate, however, is the tendency which granting statehood to Alaska would have to bring about similar action in the case of Hawaii and then Puerto Rico and then perhaps more remote areas such as Guam.

As the late Dr. Nicholas Murray Butler soundly argued a decade ago, once we go over the line by admitting a State outside this continent, the action is not reversible and the next generation may find itself with a United States of the Pacific and other ocean islands, instead of a United States of America.

> To add outlying territory hundreds or thousands of miles away, with what certainly must be different interests from ours and very different background—
>
> Dr. Butler said—
>
> might easily mark the beginning of the end of the United States as we have known it and as it has become so familiar and so useful to the world.

I fully recognize, Mr. President, that my voice in urging preservation of the kind of Union our forefathers brought forth on this continent may be as unheeded as the voices of the gloomy prophets who centuries ago warned the Hebrews of disasters ahead. But my conscience would not allow me to see this statehood bill passed without crying out, as did the writer of Proverbs who said:

> Remove not the ancient landmarks which thy fathers have set.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the Senator from Mississippi.

Mr. STENNIS. I commend the Senator for his very fine presentation in connection with a highly important bill, perhaps the most far-reaching bill which will be considered by the Senate at this session. The Senator from Virginia always does exceptionally when he sets himself to a task, and this case is no exception.

The Senator from Virginia has brought out some very important points. I invite his attention to one particular point. It has often been alleged—but I have never heard it proved—that the granting of statehood to Alaska would greatly strengthen the national defenses. I did not have an opportunity to hear all of the Senator's speech. Did any of his research cover that problem?

Mr. ROBERTSON. First, I thank my colleague from Mississippi for his kind and complimentary reference to my service and my discussion of this important question.

I assure the Senator that I gave some study to the question to which he has referred—perhaps not so exhaustive a study as might have been possible, but I did consider the question as to whether or not statehood would add anything to our defenses in Alaska, and I could find no worthwhile evidence to indicate that it would unless it be in the realm of psychology and morale. I found no evidence to indicate that statehood would improve by one iota our national defenses in Alaska.

I stated in my prepared remarks that we always had assumed responsibility for the defense of Alaska. Ever since the signing of the treaty under which we acquired it, we have given the people of Alaska all the freedom guaranteed to the people of the 48 States. We have protected them, and we intend, until such time as statehood may be appropriate by reason of their own development, to give them all the defense and protection that we give any physical part of the Union.

Mr. STENNIS. The Senator is exactly correct. By reason of the geographical location of this area and the nature of the very fine people of Alaska, the defense of Alaska is a part of our national defense system. In that area we have expended untold hundreds of millions of dollars. Some of the finest military installations in the world are located there. From a purely military standpoint, statehood, involving a State government and local governments with which the military would have to deal, would certainly not have a tendency to increase the strength of the Nation. It would create possible barriers. Any additional government is a barrier, in a sense.

Mr. ROBERTSON. The Senator from Virginia mentioned the fact that even among the people of Alaska there is not full agreement with respect to statehood.

The last poll showed that a very substantial number of the people were opposed to statehood. The majority in favor of it was not very large. Not many people responded to the poll. The Senator from Virginia has given the figures with reference to the military expenditures of our Government in Alaska and he has pointed out that they are

running at the rate of about $360 million a year. The total private income in Alaska is $120 million.

Let us suppose that we could get a bona fide international program of disarmament, and let us suppose that we could forget about atomic weapons and the DEW line, and all about our airfields in Alaska. Let us suppose, also, that we could withdraw the 60,000 or 70,000 military men from Alaska. Let us assume also that we could stop the expenditures in Alaska for future defense. Let us consider where we would be left in such a situation. The 110,000 native population of Alaska would have to assume all the burdens of operating the State, which are now being assumed and paid for by the Federal Treasury. They could not survive.

Mr. STENNIS. The Senator from Virginia has raised another serious aspect with reference to the pending bill. In my years of service on the Committee on Armed Services I have from time to time asked various military leaders to give their reasons to sustain the general assertion that statehood for Alaska would strengthen our national defense. I have never heard any one of them give any substantial reason or bill of particulars.

I had a further experience, which I should like to relate. A few years ago, when a similar bill was being debated, I looked into the question of strengthening the national defense, and I found a statement which had been made by one of the assistant secretaries of what now is the Department of Defense, in support of the bill. I read those paragraphs. When the bill came up again before the same committee 4 years later, another Secretary, who was then in office, made the identical statement, word for word, sentence for sentence, period for period. That proved to me that it is all a canned product and has become related to politics, and has no substance in it, so far as bearing on the point at issue is concerned. I repeat that I have never heard a responsible military man give any substantial bill of particulars as to how statehood for Alaska would strengthen our national defense.

Mr. ROBERTSON. I wish to assure my colleagues, as they know, of course, that the distinguished Senator from Mississippi serves with distinction on the Committee on Armed Services and the Committee on Appropriations, which handle these problems from the standpoint of policy and the standpoint of funds. He is well informed on the question of whether statehood would promote the national defense. He states, and the Senator from Virginia agrees, that it would make no difference whatever, unless we enter the realm of psychology, and say, "Well, if the Americans there were called upon in a state of emergency, they would do this or that or the other thing." However, from the standpoint of military science and tactics and firepower and equipment, there would be no difference.

Mr. STENNIS. I believe it would add an additional burden. I say that with all due respect to the people of Alaska, because that would be true also of any other area.

Mr. CHURCH subsequently said: Mr. President, a few minutes ago, in a colloquy between the distinguished Senator from Mississippi [Mr. STENNIS] and the distinguished Senator from Virginia [Mr. ROBERTSON] the subject of Alaskan statehood and its possible influence or effect upon the defenses of Alaska and the military situation there was discussed. It was agreed in that colloquy between the two Senators that statehood would be no enhancement, no advantage, no benefit to the military and, indeed, at the time it was even suggested, surprisingly enough, statehood might in fact be some kind of impediment to the military.

In view of that discussion, I think it appropriate to read into the RECORD the testimony given by Gen. Nathan Twining, Acting Chairman of the Joint Chiefs of Staff, at the hearings of the Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs of the House of Representatives. The testimony appears on page 127 of the committee hearings. Mr. BARTLETT, the Delegate from Alaska, was the questioner:

Mr. BARTLETT. Now, General Twining, you testified on this subject in 1950, on the subject of Alaska statehood, before the Senate committee. And you were asked by Senator ANDERSON, of New Mexico, if you thought statehood would be advantageous. I am going to read your reply. You said:

"Yes; I feel statehood for Alaska would help the military."

May I ask you, General Twining, if that is your thought today?

General TWINING. I feel it would; yes.

Mr. BARTLETT. Perhaps it would be fairer if I were to go ahead and quote your other remarks there. You said:

"For one reason, it would improve the economy of the population in Alaska and would be a great asset to military development."

Then Senator ANDERSON asked you this: "Do you think statehood for Alaska would help in your defense plan?"

And your answer was: "Yes."

And Senator ANDERSON then asked: "Could you give us any indication of ways in which it might be helpful?" And your reply was in these words:

"Well, we can obtain more materials from the increased economy of Alaska. We would not have to send them up from the States. It would be cheaper to build them up there. The people up there would help, and a more stable form of government would help. I think that is about it."

I think the remarks on the subject by the Acting Chairman of our Joint Chiefs of Staff General Twining, are very appropriate, and I ask unanimous consent that these remarks, together with my comments pertaining to them, be included in the RECORD immediately following the colloquy between the Senators to which I alluded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I yield.

Mr. JACKSON. I should like to make this one brief addition to the testimony to which the able Senator from Idaho has just alluded. General Twining for a number of years commanded all of the military forces in Alaska. They included not only the Air Force, but the Army and the naval forces. I therefore feel, and I am sure my colleague agrees with me, that not only as Chairman of the Joint Chiefs of Staff is he in a position to speak, but he is in the unique position of having had several years' experience with military problems within the Territory of Alaska.

Mr. CHURCH. I do appreciate that addition. I think it is very pertinent, because General Twining is not only one of the foremost military experts in the country today, but he is a man who personally had experience in Alaska.

Mr. STENNIS. Mr. President, I should like to ask the Senator from Virginia one more question with respect to farming and its critical situation in Alaska.

Mr. ROBERTSON. That point was not covered in my prepared remarks. However, I have looked into it, and I am glad to tell the Senator that I know that after World War II we tried our best to get veterans to go to Alaska to settle on free land. We could not get them to go there. Then we made an appropriation, because we felt it would be helpful if Alaska could produce more food and become a little more self-supporting. We were told that they have to import their eggs and their beef and their flour, and practically everything else, with the exception of a few vegetables that grow in a 90-day season in the subarctic summer. We sent more than a thousand farmers to Alaska, and spent more than a thousand dollars an acre for land for them. They were experimental farms. Only three farmers out that group stayed there. The others had to give up. They could not make a go of it.

Mr. STENNIS. I think that adds a great point to the Senator's speech.

Mr. ROBERTSON. The Senator from Virginia has given a good many facts. He did not intend his remarks to be exhaustive, but merely an attempt to stimulate others to look into this subject and look at the facts. If any Member of the Senate will look at the facts, he will be forced to the conclusion that Alaska is not yet ready for statehood. He will be forced to the conclusion that there is nothing comparable in the future development of Alaska to that of any other States. Outside the military, there are no more native people there than there were in 1896, right after the gold rush. The population has not grown appreciably since the 1900 census.

Mr. STENNIS. I appreciate the Senator's statement. I have a memorandum which states that there are only about 600 farms in Alaska. That not only shows the inability to farm there, but also the lack of food production for the people. That brings up a major point which cannot be overcome, and that is the point with reference to the climate. The climate is what puts a definite limitation on the economy of Alaska, whether it be farming or industry or anything else.

Mr. ROBERTSON. The persons who go there and come back enthusiastic visit very few places. They come back and say it has a wonderful climate. It is true that in 1 or 2 places the climate is better than in the District of Columbia; it does

not get so cold in the winter and it does not become so hot in the summer. There are wonderful spots, but they are few. Most of the area has temperatures of 50° and 60° degrees below zero. The ground freezes down to 15 or 20 feet. It is not the kind of place in which the average white man of this country prefers to live.

We would like people from the Scandinavian countries and Great Britain, who never fill their quotas for immigration, to move there. They do not go there either. The population has remained relatively static. That is why we see no immediate hope that there will be a population increase in Alaska or a development of resources through their own capital which would qualify the people of Alaska for statehood status. Therefore, the movement for statehood for Alaska is premature, and is giving entirely too much emphasis to the political angle involved.

Mr. STENNIS. If the Senator will yield to me for the last time, I should like to ask him a question with respect to the form of government. The question has been before the Senate, and I have given a great deal of thought to it. If the people of Alaska were permitted to elect their own governor, I am sure such a bill would be readily passed.

Mr. ROBERTSON. The Senator is referring to commonwealth status, I believe.

Mr. STENNIS. Yes; the proposal has been made to give Alaska full commonwealth status. I believe that would get a fine response. All such suggestions are rather quickly rejected and more or less spurned. That leads me to believe that political power is one of the prime objects of the entire idea of the statehood bill.

Mr. ROBERTSON. Evidently. The object is to give Alaska a voice in the Senate equal to that of the Representatives of New York, Texas, California, or any other State, although they would actually represent only one-hundredth as many native Americans.

Mr. STENNIS. That is one of the most serious phases of the entire problem.

Mr. ROBERTSON. There is no question about any personal freedom or about any colonialism or mistreatment or anything like that being involved. That is merely dust in the eyes—or "poudre," as the French call it, I believe.

Mr. STENNIS. The Senator is correct. Anyone who has been to Alaska recognizes the correctness of his statement. I know it from my own experience.

Mr. ROBERTSON. I thank the Senator.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. RUSSELL. I wish to commend the distinguished Senator from Virginia for the very able statement he has made. That Congress should blind itself to the facts which the Senator has laid before it, and should treat the matter so casually, is both appalling and incomprehensible to me. I desire to express my appreciation to the Senator from Virginia for the very able and fair treatment he has given to the issue. I only wish that the people of the United States could have available to them the sound reasoning in the Senator's statement.

Mr. ROBERTSON. The distinguished senior Senator from Georgia, who is our top parliamentarian, knows that the pending proposal is different from anything which has previously been considered concerning the admission of a State. As one of our best students of history, if not the best, he knows that if Congress violated the injunction of the Founding Fathers to keep the area of our Nation intact, and not to include offshore territories, a precedent would be established. Even though the Territory is in the same land mass, there is a nation between the United States and Alaska. Having established this precedent, we would be more or less defenseless to resist the demands of the offshore islands and other Territories which might seek to come into the Union through statehood.

If we yield to the propaganda of the Communists of the Nation, who try to stir up racial troubles for us, and who try to make it appear that we are engaged in colonialism of the most reprehensible character in Alaska and if we endeavor to meet this criticism by admitting Alaska into the Union, we shall have to yield every time they raise the same question concerning other Territories. That we could not do.

After all, let us not forget the political implications of the seating in this body of 8 or 10 new Senators from here, there, and yonder. That is no mere dream.

Mr. WILEY. Mr. President, I rose for another purpose, but I have listened with particular interest to the discussion this afternoon. I am one who has never given real study to this problem. None of the questions involved has come before any of the committees of which I am a member.

I think there are simply two questions: What is best for the interests of the United States? What is best for the interests of Alaska? The answers can be set forth in two columns: Would it be of advantage to the United States to have Alaska become a State? Would it be of advantage to Alaska to become a State? I, for one, shall approach the question from that particular angle.

I compliment the distinguished Senator from Virginia [Mr. ROBERTSON] and the distinguished Senator from Mississippi [Mr. EASTLAND] for bringing light into a picture which, so far as I am concerned, has been not filled with light until the present time.

Mr. ROBERTSON. I thank the Senator from Wisconsin.

## WELCOME TO WONDERFUL WISCONSIN

Mr. WILEY. Mr. President, the trout and the pike and the muskies and the bass are striking in Wisconsin. That gets a smile from the Senator from Virginia.

This is America's vacation time. The great tourist industry of the United States—one of our great industries, I may say—is now enjoying what will undoubtedly prove to be its most prosperous season in American history.

Representing, in part, as I do, a State which is known as America's vacationland, it is my pleasure to renew to my tired colleagues an annual invitation to come to God's country—Wisconsin.

I know that all Senators are in need of fresh air; they need fresh water; they need to see the fish strike.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. WILEY. No, not at this time. I know the Senator wants to talk about Virginia. But never mind. [Laughter.]

Mr. ROBERTSON. I was merely going to say that Wisconsin once belonged to Virginia. [Laughter.]

Mr. WILEY. When Congress recesses, I want all Senators to come to enjoy wonderful Wisconsin. I want them to enjoy its lakes and streams, its great tradition of hospitality, its splendid resort facilities, its hotels, motels, lodges, and restaurants.

I want Senators to bring their families and have all of them enjoy the varied attractions of the Badger State, with its incomparable facilities for fishing, hunting, swimming, golfing, and plain relaxing.

Congress may not recess until mid-August, but those of my colleagues who are in the Midwest over weekends will, I hope, have a chance to go to the lake country of Wisconsin and enjoy a weekend, at the minimum.

But, then, when Congress has terminated its labors of the 2d session, I hope that as many Senators as possible will accept, as they have in years past, this invitation from wonderful Wisconsin.

Today, it is my pleasure to introduce a bill to amend the Pittman-Robertson Act, dealing with the allocation of funds for wildlife projects. Wisconsin has wildlife in abundance. It offers nature, with all its beauty and variety. It has, for example, no less than 1,475 trout streams, with a total length of 8,930 miles.

Our State conservation department lists 39 separate State forests and parks, 31 of which have facilities for camping. Swimming in crystal-clear lakes is available in 17 of these parks.

In Wisconsin, there is a great tradition of having facilities available for the public, as well as for private use.

That is why, for example, no less than 978 miles of lake and stream frontage are held by the State conservation department for public use. That means, for example, that our citizens—all our citizens—can enjoy water sports, such as boating, swimming, water skiing, and fishing.

Naturally, every Member of the Senate is proud of his own State. Naturally, too, each of us likes to comment upon the attractions of his State.

But I submit that the record of America's tourist visits and tourist expenditures documents the fact that, when I speak of wonderful Wisconsin, as America's vacation State supreme, I am speaking not simply from a deep personal preference, but from a record attested to by the American people themselves.

What is more, it is the tradition of my State's tourist industry constantly to excel in its reputation. We do not rest on our laurels. Each day brings news to me of efforts to improve further our splendid facilities so that guests will enjoy the best vacation in the world.

Each day I get literature from hotels, resorts, and fishing lodges, from chambers of commerce and regional groups, pointing up some new additions—some splendid new additions—to our State's excellent road system, for example, so as to help make for the best possible vacation.

The muskies are biting as are the brook trout and all the wonderful other varieties of fish.

It may seem almost incongruous to refer to the pleasures of leisure time here on the Senate floor when we are so crowded with legislative duties. Nevertheless, I believe that this very fact of the heavy burdens upon us emphasizes why it is so important that we get a bit of wholesome refreshment from our labors, and renew ourselves and revitalize ourselves in wonderful Wisconsin.

It is a sportsman's paradise; it is a haven for the tired, the weary, the rushed, the harassed. One can breathe clean, fresh air and swim in clean, fresh water. One can enjoy himself as he has always longed to do.

Vacationing is good sense; vacationing is, in itself, a great industry—long one of Wisconsin's top three industries.

There are facilities for every type of vacation which the tourist may have in mind.

And so, I renew this warm invitation to my colleagues.

Fortunately, I may say, we of the Congress have taken one of the vital steps to strengthen America's recreation industry and to make sure that there will always be adequate facilities for Americans to enjoy themselves. For that reason I send to the desk the text of an article which appeared in the Sunday, June 22, issue of the Milwaukee Journal. It describes the progress toward the new Presidential Commission on the Nation's Recreation Needs.

I ask unanimous consent that the text of this article be printed in the body of the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES PLANS BROAD STUDY OF RECREATIONAL NEEDS—DEFINITE PLANNING TO BE UNDERTAKEN WITH A $2,500,000 FUND SET UP BY CONGRESS

(By R. G. Lynch)

Definite planning to meet the Nation's recreation needs in the next half century will be undertaken by a special commission, with a $2,500,000 appropriation, as the result of a bill sent to President Eisenhower last week.

The project originated with the Izaak Walton League of America and had the support of all leading conservation organizations. It passed the Senate last week by a voice vote, without debate. This is another manifestation of Congress' recognition of growing demands for recreational opportunities.

The President will appoint seven citizens who are interested in outdoor recreation resources and opportunities and experienced in resource conservation. One of them will be designated as chairman.

EIGHT OTHERS TO BE NAMED

In addition, 2 majority and 2 minority members of the Interior and Insular Affairs committee in each House will be appointed to the new Commission by the President of the Senate and the Speaker of the House.

The Commission will create an advisory council which will include liaison representatives of all interested Federal agencies and 25 representatives of State game and fish, parks, forestry, pollution, and water development agencies; private organizations in the outdoor recreation field; commercial outdoor recreation interests; commercial fishing interests; industry, labor, public utilities, education, and municipal governments.

Grants may be made by the Commission to States, and contracts may be made with public or private agencies to carry out various aspects of the review.

The Commission is to establish headquarters in the Capital and employ an executive secretary and whatever additional personnel it needs.

SURVEY IS FIRST PROJECT

This Commisison's first job is to inventory outdoor recreation resources and compile data on trends in population, leisure, transportation and other factors bearing on recreational needs. On the basis of these studies, it is to make recommendations to Congress by September 1, 1961, on a State-by-State, region-by-region, and overall national basis.

The responsibilities of local, State and Federal Governments are to be taken into consideration, as well as possibilities of recreation on forest, range, and wildlife lands and other lands and waters, where such use can be coordinated with primary uses.

The Nation's people, with shorter working hours and more time and money for enjoyment, have been on the move more and more since World War II and the Korean conflict ended. In summer highways are crowded with family automobiles hauling trailers loaded with boats or camping equipment, or both.

MILLIONS VISIT PARKS

National parks and forests draw more than 50 million visits a year; State parks, more than 183 million visits. Hunters and fishermen are buying more than 25 million licenses annually, and other millions hunt and fish who are not required to buy licenses.

Congress approved a 10-year Mission 66 program of the National Park Service in 1956 and a 5-year Operation Outdoors program of the Forest Service in 1957. Both call for improvement and expansion of public facilities involving many millions of dollars.

The Army Corps of Engineers and the Reclamation Bureau, awakened to public demand by swarms of visitors to their reservoirs, have increased recreation facilities and provided more access.

INDUSTRIES HELP, TOO

Forest industries have yielded to pressure for public use of their lands, in many cases have welcomed the opportunity for improved public relations.

At their own expense, they have provided picnic and camping areas, access to lakes and streams, even in a few cases game and fish habitat management.

Now Congress has authorized and financed a nationwide effort to find out what the Nation has and what it is going to need to take care of outdoor recreation for the people.

Mr. WILEY. Mr. President, I observe the distinguished Senator from Minnesota [Mr. HUMPHREY] on his feet. I am certain that he wants to talk a little about Minnesota's recreational grounds. I yield for a question.

Mr. HUMPHREY. I rise only to commend the Senator from Wisconsin for his lyrical remarks about the State of Wisconsin.

I simply add, for the edification of the Senate and for our guests in the galleries, that Wisconsin is a good place in which to stop over on the way to Minnesota.

I may also add, if the Senator has no objection, that the speech to which we have just listened was an excellent presentation about a fine, great State, by a fine and good man. I would only do this: I would ask unanimous consent to strike from the Senator's speech "Wisconsin" and insert in lieu thereof "Minnesota." [Laughter.] Having done that, the speech would take on new meaning, new glory, and, may I say, new justification. [Laughter.]

I wish to thank the Senator from Wisconsin for his generosity in presenting this factual statement about the great upper Midwest. What he has said is so true about his beloved State of Wisconsin, and is even more true about the great North Star State of Minnesota.

Mr. WILEY. Mr. President, I am glad there is this evidence of unanimity of opinion of Senators about the best place in the Nation to be visited by tired people. Of course, between my State of Wisconsin and Minnesota there are two rivers—the Mississippi and the St. Croix, whereas north of Wisconsin is the greatest inland lake in the world, Lake Superior. On the other hand, Minnesota has only that river boundary. But to the east of Wisconsin is Lake Michigan. Although Minnesota claims about 10,000 lakes——

Mr. HUMPHREY. Eleven thousand three hundred and forty-two. [Laughter.]

Mr. WILEY. Wisconsin may not have as many little lakes, but Wisconsin has purer water, because Wisconsin is bounded on the north by Lake Superior and on the east by Lake Michigan; and down through the heartland of Wisconsin are the great rivers and creeks and lakes.

Wisconsin will welcome my good friend, the Senator from Minnesota, when he flies back home. We urge him to stop in Wisconsin and really see some things he cannot see in Minnesota.

Mr. JACKSON. Mr. President, will the Senator from Wisconsin yield to me?

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. WILEY. I yield.

Mr. JACKSON. I should like to observe that if the colloquy is to continue——

Mr. WILEY. Let me ask what State the Senator represents. [Laughter.]

Mr. JACKSON. Mr. President, if the colloquy is to continue, I should like to offer a substitute unanimous-consent request, in place of the one offered by the distinguished Senator from Minnesota.

Mr. HUMPHREY. I object. [Laughter.]

Mr. JACKSON. Namely, to strike out "Minnesota" and "Wisconsin," and substitute "Washington."

In support of my suggestion, I offer as proof the fact that there are living in the great State of Washington thousands and thousands of people who formerly lived in Wisconsin or in Minnesota. [Laughter.]

They are enjoying our wonderful lakes, snowcapped mountains, delightful warm weather without humidity, and numerous other advantages.

So I invite my colleagues to make a brief stopover in Minnesota and Wisconsin as they travel on their way to the great State of Washington.

Mr. WILEY. Mr. President, I must attend a committee meeting which commenced at 2 o'clock. I am glad I began this discussion, inasmuch as all Senators already seem refreshed merely from having contemplated the beauty of Wisconsin. [Laughter.]

Mr. KUCHEL. Mr. President, if it were not for my burning desire to speak in behalf of Alaskan statehood, I should like to speak for about 30 minutes in expressing encomiums of my own great State of California. However, at this time I desire to address the Senate for another purpose.

## STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. KEFAUVER. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield.

Mr. KEFAUVER. Mr. President, in Tennessee we are very proud of our many, fine, thoughtful newspapers and of the editorial positions which many of them take.

It is very infrequent that the leading newspapers of the Volunteer State are so unanimous on any subject as they are in support of statehood for Alaska.

I ask unanimous consent to have printed at this point in the RECORD, an editorial from the Nashville Tennessean, one from the Chattanooga Times, one from the Memphis Press-Scimitar, one from the Nashville Banner, one from the Clarksville Leaf-Chronicle, and one from the Knoxville Journal.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Nashville (Tenn.) Tennessean of May 30, 1958]

### SENATE MUST KEEP ALASKAN PROMISE

With a commendable reversal of form, the House staved off efforts to amend or send back to committee the Alaska statehood bill and passed the measure 208 to 166.

Proponents of statehood for the Territory have only a breathing spell before going on to a new and possibly stronger challenge in the Senate, where the measure has been on the calendar since last June.

Various reasons have been advanced in the Senate for opposing the bill, including the fear of the Southern bloc that its balance of power will be upset by admission of two more Senators.

The people of Alaska have voted overwhelmingly to become a State and have sent Congressional representatives to Washington under the so-called Tennessee plan. The people of the United States favor admission of Alaska; polls have shown the sentiment for admission to range from 5 to 1 to as high as 10 to 1.

Alaska holds rich resources, some yet untapped, many yet undeveloped to anything near full potential. Its products have benefited the United States hundreds of times beyond the price we paid Russia for the area.

It is a key area in our outer defense system and its strategic importance is beyond estimation. Its population is growing fast—almost 49 percent in the first 6 years after the 1950 census.

Its admission is in the best tradition of the past. Both parties have repeatedly vowed in their platforms to work for admission of this rich area in the northwest, and its high time Congress made good on those promises.

[From the Chattanooga (Tenn.) Times of May 25, 1958]

### ALASKA'S CHANCE

The bill to grant statehood to Alaska at last is before the House of Representatives. What the legislators do with it now is to be seen, but surely anything less than approval will be regarded as a prime example of Congressional irresponsibility and an affront to the conscience of all America.

It is hard to see on what basis Congress can refuse admission. In 1956 both Democratic and Republican platforms contained planks promising statehood for Alaska, and in a series of public opinion polls taken from 1946 to 1958 United States citizens have increased their support of admission from 5 to 1 to 12 to 1.

At the time the United States purchased the Territory from Russia this Government entered into a solemn agreement with the people there, by which it pledged inhabitants "all the rights, advantages and immunities of the United States." Surely, this must be interpreted as a promise of eventual statehood when the people were ready to assume that responsibility. The time has come when we must redeem that pledge.

[From the Memphis (Tenn.) Press Scimitar of May 29, 1958]

### FORTY-NINTH STAR JUST BELOW THE HORIZON

The House finally got a chance to vote on Alaskan statehood yesterday and passed the bill.

Now it is the Senate's turn.

The Senate twice before has approved similar legislation. Its committees have held a multitude of hearings and repeatedly have endorsed admission of this rich Territory to the Union.

The Senate is thus in a position to act promptly and send the bill to President Eisenhower who yesterday, renewed his plea that it be passed.

Only last August the Senate's Committee on Interior, reporting out a statehood bill for the fourth time, stated the case eloquently and concisely. It said:

"Over a period of many generations and under conditions that would stop a weaker breed, Alaskans have tamed a great land and have offered it to the Nation for its many values, all in justifiable reliance on Alaska's ultimate destiny as a full member of our proud Union of States. Now is the proper time for Congress to fulfill this destiny."

The 49th star awaits only the Senate's signal to rise and shine.

[From the Nashville (Tenn.) Banner of May 29, 1958]

### NOW LET THE SENATE FINISH IT

Statehood for Alaska advanced a long and welcome step Wednesday, with the House approving admission, 208 to 166.

None can say this issue has not been thoroughly deliberated. Congress after Congress has debated it in committee. The pros and cons have been heard. The opinions for and against creating out of this Territory a 49th State have been explored. It is in the light of acquaintance with the facts that the House has rendered an affirmative decision.

That Alaska is ready for statehood there can be no doubt.

That such a step is to the mutual advantage of Territory and Nation, in point both of economic interest and security, is beyond reasonable dispute.

It would fulfill a promise on whose fulfillment America can in justice hedge no longer.

It is to the credit of Tennessee that 6 members of its House delegation voted "Yes." These are Representatives BAKER, BASS, DAVIS, and EVINS, voting "yes," and Representatives REECE and LOSER paired for it.

It is to be earnestly hoped that the two Tennessee Senators will stand behind this statehood bill when it comes to a vote in the Senate.

That must not be unduly delayed.

An important piece of public business is well begun. Let the Senate finish it quickly.

[From the Clarksville (Tenn.) Leaf-Chronicle of May 30, 1958]

### ALASKA DUE STATEHOOD

The House has passed a bill to admit Alaska to the Union and the measure now goes to the Senate. The House passage was by a substantial majority—208 to 166. It is unlikely that the Senate will give the bill a proportionately majority, even if it passes it.

None other than politics is keeping Alaska a Territory. Its population is growing rapidly and would grow even faster if the Territory became a State. It is fabulously rich in mineral wealth, fish, and furs. It is strategically located atop the continent and separated from Soviet Russia by only the narrow Bering Strait.

The Alcan Highway and air transportation has brought Alaska closer to the United States.

As a Territory, Alaska is treated as a stepchild and its residents denied representation in Washington. Yet it is our last frontier, and, in time of war, would be the nearest striking point at Soviet Russia.

It is time that a territory one-sixth the size of the United States is recognized and admitted to the Union as our 49th State.

[From the Knoxville (Tenn.) Journal of May 29, 1958]

### ALASKA NOT ONLY TREASURES VAST RESOURCES BUT IT IS VITAL OUTPOST FOR OUR DEFENSE AGAINST RUSSIA

Yesterday the House, disregarding a teller vote the previous day which made Alaskan statehood more than doubtful, whooped through the statehood bill by a husky 208 to 166.

Capital observers give the bill a possible chance of being passed by the Senate, whose action would bring to a successful conclusion years of effort on the part of citizens of this country in Alaska and in the States.

With this final action in view, it may be an appropriate time to review a few of the facts about the new State. The first thing that occurs to anyone on the subject is that Alaska covers some 586,400 square miles, including, of course, a good many miles of ice and snow not now marketable. However, the new State will be more than twice the size of Texas, which perhaps accounts for the bitter fight which was made in the House against taking Alaska into the sisterhood of States. It should be comforting to the transplanted Tennesseans who now make up the bulk of the Lone Star State, however, that more hot air will continue to come out of Texas than Alaska, no matter if the size of the latter is double.

When it comes to population, the new State falls short of its pretensions so far as area is concerned. In 1950 the total was 128,643 which compared with the more than 7 million population of Texas and the more than 3 million in Tennessee.

When originally purchased from Russia, there was a great deal of dissatisfaction expressed by many taxpayers who felt the Czar of Russia had perpetrated a swindle when he sold this vast piece of land for $7,200,000. Incidentally, and of interest to Tennesseans, Alaska was bought under the Presidency of Andrew Johnson and history has thoroughly established that the purchase was one of the few, and possibly the last, good trades made with a foreign government by our Federal Government.

Passing over the statistics on natural resources which are yet untapped in this Territory, attention should be directed to the great importance of this land to the United States even if it were as barren as a desert and was known to be totally without resources. It is not only the part of our possessions nearest to Russia but it is also a necessary outpost for the defense of the rest of the country.

We hope the Senate acts before it adjourns to bring Alaska into the Union.

Mr. CHURCH. Mr. President, will the Senator from California yield for the purpose of suggesting the absence of a quorum?

Mr. KUCHEL. I yield, with the understanding that I do not lose my right to the floor.

Mr. CHURCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PAYNE rose.

Mr. KUCHEL. Mr. President, I observe my able friend from Maine [Mr. PAYNE] is standing. I ask unanimous consent that I may briefly yield to the Senator from Maine without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. PAYNE. Mr. President, it is necessary for me to be absent from the Chamber. In order to place my remarks concerning the pending measure on the record, in full support of statehood for Alaska, which position I have maintained firmly for more than 10 years, I ask unanimous consent that a statement which I have prepared in this connection be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PAYNE ON ALASKA STATEHOOD

For many years one of the great questions before the Nation has been whether to provide for the admission of Alaska into the Union. It is vital that this question should now be answered, and that we grant to the people of Alaska those same full rights and privileges enjoyed by all Americans and which the people of Alaska so justly deserve.

The Constitution of the United States does not establish any specific requirements for statehood, but traditionally three standards have been required for the admission of a new territory. The first is that the inhabitants of the proposed new State be imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government. Another is that a majority of the inhabitants desire statehood; and the third is that the proposed new State have enough population and economic resources to support a State government and provide its share of the cost of the Federal Government. It is most important to note that the Senate Committee on Interior and Insular Affairs at the end of its inquiry into the question of Alaska statehood last year reported that it was convinced that Alaska has met each of these requirements and is in all ways prepared for statehood.

There is no doubt that the people of Alaska have satisfied the first requirement. Their institutions, schools, laws and homes are as American as those of any State in the Union. During World War II when Alaska was the only continental area actually invaded, the people of Alaska displayed a sense of patriotism and loyalty equal to any of the 48 States by the outstanding support they gave to the armed services throughout the war. Morale and stability never faltered at a time when wartime conditions in Alaska were much worse than anywhere else within the continental United States.

As for the second requirement, it is undeniable that a majority of Alaskans desire immediate statehood. The first Alaska statehood bill was submitted to the Congress in 1916, and since 1947 statehood bills have been before the Congress almost continuously. In 1956 the voters of Alaska ratified the constitution for the future State by a 2-to-1 majority. And in 1957 the Senate and the House of the Legislature of the Territory of Alaska passed by unanimous vote a joint resolution requesting statehood.

Alaska also meets the third traditional requirement for statehood: A population and economic resources adequate to support State government and to contribute a share of the cost of the Federal Government. Alaska now has a greater population than was the case with at least 25 States at the time of their admission to the Union, and the Territory has exceeded all of the States in percentage population growth since 1940. Alaska's natural resources are vast and include timber, iron ore, copper, oil, coal, tin, nickel, and many others. New industries are emerging, and the Territory's financial position is stable. For the last 4 years Alaska has had a net surplus in its budget and has provided the basic services of State government, except those precluded by Territorial status. There is no question that Alaska has met all the requirements for statehood and is ready for admission into the Union.

The United States is trusted today because it has traditionally espoused the cause of self-determination and has crusaded in behalf of all people seeking to fulfill their political aspirations. Alaskans have requested admission into the Union in order that they be granted full and equal participation in the American system of government. We must not fail to heed the wishes of these Americans who have lived under our flag for 90 years, who are in all ways ready for statehood, and who could contribute to the Nation as a whole some of the great qualities which have allowed them to tame a great land under conditions which would have stopped weaker men. To grant statehood to Alaska at this time would be irrefutable proof that the United States lives in accordance with its principles of self-determination and full political freedom for all men.

Mr. PAYNE. I thank my colleague from California very much for his usual courtesy.

The PRESIDING OFFICER. The Senator from California.

Mr. KUCHEL. Mr. President, last night marked the beginning of intensive debate in the Senate on a highly important American problem. It could culminate, and I hope it will, in Senate approval of proposed legislation to bring the Territory of Alaska into the American Union as an American State. We would thus fulfill a moral and a legal obligation to the people of Alaska dating from our treaty of purchase of the Territory from Russia when we solemnly promised "enjoyment of all the rights, advantages, and immunities of citizens of the United States" to the people of the Territory.

We would demonstrate that solemn promises to our country by the platforms of both the Republican and Democratic Parties are neither hypocritical nor sham. We would show the world that the democracy which we preach we also practice. We would convincingly re-affirm our patriotic delight in the story of the Boston Tea Party, and we would rededicate ourselves to the American doctrine that taxation without representation still constitutes tyranny, in our view.

Thus, we would participate in no ordinary rollcall. It would be an impressive decision, for all the world to note, that the United States continues as a growing, dynamic adventure in the self-government of human beings, and thus add to the strength of American leadership in the continuing struggle for freedom and self-determination for mankind.

We would concur in the overwhelming decision of the House of Representatives that the time for admission of Alaska to statehood is now. And we would fend off parliamentary maneuvers, no matter how honestly advocated, which, if adopted, would destroy Alaska's righteous prayers for statehood one more ugly time.

SIMILARITY TO CALIFORNIA

As a United States Senator from California, I urge, wholeheartedly, that the Senate approve statehood for Alaska. Both these great American areas have much in common. Alaska and California have been pricelessly endowed by nature. Both have great rugged mountains in and under which lie tremendous mineral wealth; both have broad, fertile valleys and plains, areas on which grow abundant crops and livestock forage; each has its vast forests, and the seas around both are rich with great schools of highly prized food fish.

But more important than the geographic and economic similarities are the similarities in the people. By the very nature of the areas, California and Alaska had to be settled by rugged, adventuresome, pioneer stock, restless, energetic, and daring in mind and body.

Of course, California, being nearer to the sources of the westward trek of our people, was settled first. Thus, her resources are much more highly developed, and her population much larger. Her century of statehood has been the solid and sound basis on which she has grown to greatness.

But I state unhesitatingly that the basic raw materials of political and economic eminence: Natural resources, geography, and above all, people, out of which has come the great State of California of today are present, and in abundance, in Alaska, as well. With the stimulus of statehood, I prophesy a growth and development in Alaska not at all dissimilar to the unprecedented achievements of my beloved California since the Gold Rush days 100 years ago.

STATEHOOD ENVISIONED IN 1869

There are similarities in the political history of Alaska and California. The two are the only areas on the North American Continent where the Russians were among the first white men to settle and wield political power. Everyone knows, of course, that until 1867 Alaska belonged to Imperial Russia and that we made a wonderfully shrewd "deal" in purchasing that area with all of its riches for $7½ million. It is interesting and revealing to observe that many of the same arguments which were advanced against Secretary of State Seward's proposal to purchase Alaska are being used today against admitting this American Territory to statehood. "Seward's Icebox," it was called, and "Seward's Folly."

Seward, himself, envisioned Alaska as a State, as is shown by his famous address at Sitka, which was then the Capital of Alaska.

On August 12, 1869, the former United States Senator and Secretary of State under the sainted Abraham Lincoln told the citizens of the newly acquired Territory:

Within the period of my own recollection, I have seen 20 new States added to the 13 which before that time constituted the American Union; and now I see, besides Alaska, 10 Territories in a forward condition of preparation for entering into the same great political family. * * *

Nor do I doubt that the political society to be constituted here, first as a Territory, ultimately as a State or many States, will prove a worthy constituency of the Republic. To doubt that it will be intelligent, virtuous, prosperous and enterprising is to doubt the existence of Scotland, Denmark, Sweden, Holland, and Belgium and of New England and New York.

Mr. President, Mr. Seward thus spoke of Denmark and Sweden by way of comparison. Let me now speak by way of comparison, 90 years later, of all four Scandinavian countries: Norway, Sweden, Finland, and Denmark.

These northern European countries correspond closely to Alaska's position of latitude, and geographical identities are similar. Their combined area of 445,173 square miles compares with Alaska's 586,400 square miles. The total areas of these four countries is approximately 76 percent of Alaska, yet these European countries support a population in excess of 19½ million on lands which I am sure any careful scrutiny will show are less hospitable and not so rich in natural resources as is the case in Alaska.

ALASKA MORE RICHLY ENDOWED THAN SCANDINAVIA

For example, in Norway, the largest of the Scandinavian countries, with 3,470,000 square miles, only 4,300 square miles are cultivated and more than 70 percent of her land is classed as unproductive. Norway lacks coal but has developed her water power. In comparison, conservative estimates are that Alaska has in excess of 100 billion tons of coal in already known deposits—much of it readily accessible in the vast coalfields of the railbelt. The Bureau of Reclamation estimates Alaska's hydroelectric potential at more than 8 million kilowatts. That is four-fifths of the combined existing capacity of the three Pacific coast States of Washington, Oregon, and my own great State of California, the greatest hydropower producers in the Union. Norway is home to 3,470,000 people.

Of Sweden's 173,378 square miles only 9.2 percent is cultivated, 54 percent is forests, and one-third is classified as unreclaimable. Yet her resources support 7,341,122 citizens. Incidentally, 90 percent of Sweden's economy is in private hands; however, the Government has developed hydropower and owns and operates the railroads.

Finland, northernmost of the Scandinavian countries, has a population of 4,288,000. Although 70 percent of her land area is forest, the primary occupation of her citizens is agriculture.

Mr. President, tiny Denmark's 16,576 square miles are only 5 times the size of Alaska's Mt. McKinley National Park. Yet Denmark is home to 4,439,000 souls.

GEN. BILLY MITCHELL'S JUDGMENT

All Members of this body, and all Americans everywhere, have reason for profound gratitude for Seward's vision and foresight in purchasing Alaska, and the tenacity with which he successfully pursued his object, despite inelegant and immature obstruction, which, as I say, is strikingly similar to the regrettable criticism lodged against the statehood bill today.

In speaking of Alaska and her strategic importance to our country, the late Gen. Billy Mitchell said, "He who holds Alaska holds the world." I suggest that the wisdom of Seward's treaty of purchase has grown more clear with each passing day. It is the United States, not Russia, which holds Alaska. And now, with her statehood, I hope, about to become a reality, she will take her rightful role in the Nation's future as the 49th member of our Union.

Not as well remembered as the fact that Russia, until less than a century ago, owned Alaska is the fact that the Russians also settled in California. Their colonies did not last, but they were there, giving us still another interesting historical similarity between Alaska and California.

OPPOSITION ARGUMENTS PROVEN INVALID

But the most striking similarity, and the most significant, is that of the arguments used against the admission of California a little over a century ago and these against the admission of Alaska today. The Congressional Globe, which was the publication recording the proceedings of the Senate in that day as is the CONGRESSIONAL RECORD of today, makes fascinating reading, especially in the light of the arguments which were iterated and reiterated against Alaska in each Congress during the 9 years in which her statehood has been under debate.

California was too distant—noncontiguous that is; it could not support statehood; it was a wilderness inhabited by savages.

How like the arguments against Alaska today. It is noncontiguous; it does not have sufficient population for a State; it is not sufficiently developed economically to support statehood.

I wish to quote some of the remarks made on the floor of the Senate, as taken from the Congressional Globe for August 6, 1850, when the California Admission Act was being debated:

Listed to Senator Stephen A. Douglas, of Illinois:

I have always thought that the boundaries of California are too large. I have laid upon the table an amendment proposing to divide it into three States.

Listen to Senator Thomas Ewing, of Ohio:

With all the extent of California, it will never sustain one-half the population of the small State of Ohio, not one-half. The population will be very small indeed.

Hear the words of Senator David L. Yulee, of Florida, who tried to filibuster California down the drain:

The first important fact is the insufficiency of the actual population of California. Among 35,500 of the immigrant population, the number of females could not have exceeded 900. This indicates immaturity of social organization.

Let us go over to the House of Representatives on April 10, 1850, when Representative Thomas Ross, of Pennsylvania, inquired:

Mr. Chairman, what was the population of California when this Constitution was formed, and what is it now: When I speak of population, I do not mean gold seekers and other adventurers who have gone there for a temporary object; but what is the number of her resident population? No one can tell. But one fact we do know, and that is that the whole number of votes polled was only about 12,800, and that, too, without any regard to residence or any other qualification of the voter. No single district in Pennsylvania, or in any other State, that polls only 12,800 votes is entitled to even 1 Representative in Congress. My own district polls more than 16,000 votes. But California is to be admitted as a State, with 2 Senators and 2 Representatives, when her entire vote polled was but 12,800. The admission of California, under all these circumstances, will not only be a violation of every rule by which we have been heretofore governed in the admission of States, but will be an act of great injustice to the other States who have for so many years borne all the burdens and the perils of the Government in its most trying period.

Even Senator William Seward, of New York, a friend of California statehood, who was later to become Abraham Lincoln's Secretary of State, said on July 29, 1852:

Nor is California yet conveniently accessible. * * * The emigrant to the Atlantic coast arrives speedily and cheaply from whatever quarter of the world, while he who would seek the Pacific shore encounters charges and delays which few can sustain.

Nevertheless, the commercial, social, and political movements of the world are now in the direction of California. Separated as it is from us by foreign lands, or more im-

passable mountains, we are establishing there a customhouse, a mint, a drydock, Indian agencies, and ordinary and extraordinary tribunals of justice. Without waiting for perfect or safe channels, a strong and steady stream of emigration flows thither from every State and every district eastward of the Rocky Mountains. Similar torrents of emigration are pouring into California and Australia from the South American States, from Europe, and from Asia. This movement is not a sudden, or accidental, or irregular, or convulsive one; but it is one for which men and nature have been preparing through near 400 years.

And Senator Seward was a friend of California statehood.

The intervening decades have seen the Golden State march down the road to preeminence among her sister States in many, many important fields, and those passing years have vindicated the Senate majority which favored California statehood over shoddy fallacies and counterfeit arguments which were vainly urged by a few.

OPPOSITION ARGUMENTS ANSWERED IN FULL

And I say to my brethren who oppose Alaska statehood that history will, just as irrefutably, in my judgment, demonstrate the utter invalidity of the position which they take. Their arguments, of course, are made in all sincerity and honesty. They are made by Senators who are good friends of mine. They should be answered, and happily they can and will be answered, fully and completely.

The facts are that Alaska is not in any sense of the word distant. I can go into the cloakroom, pick up a telephone, and talk with the Governor of Alaska in the capital of Alaska within a few moments. Within a matter of hours, any Senator can be in any part of Alaska.

Contiguity has never been a requirement for statehood. If it ever was a precedent, which I deny, it was broken almost as soon as, and maybe before, it was uttered, for Louisiana did not border upon any State of the United States when she was admitted in 1812. Her boundaries were many miles distant from her nearest neighboring States, Tennessee and Georgia.

Even more noncontiguous was California in 1850. Hundreds of miles of wilderness, infested by hostile Indians, separated California's eastern boundary from those of Texas, Missouri, Iowa, or Wisconsin, the nearest States at the time of our admission to statehood.

As to the population, the Department of the Interior recently stated that Alaska's population today is 220,000.

ALASKA'S POPULATION MATCHES THAT OF OTHERS

Now, let us consider the population of the 17 States which have come into the Union in the past century. Only six of them had more people at the time of entry than Alaska now has. Eight of them had less: Arizona, Minnesota, Kansas, Colorado, Montana, Wyoming, Oregon, Nevada. Arizona was the largest in population, with 217,000; Nevada the smallest, only 21,000 claimed residence there. Before 1958, 16 States—apart from the original 13—were admitted to the Union with populations smaller than Alaska's today.

Mr. President, I wish to call attention to one of the appendixes appearing in the House hearings, which sets forth the population of every State when it was admitted into the Union, and the population increase in each State.

This brings us, Mr. President, to the highly important, and very technical, question of the matter of the finances of the proposed new State. As pointed out so forcefully by the distinguished chairman of the Interior Committee [Mr. MURRAY], who now presides in the Senate, statehood never has failed—never once in any of the 35 instances in which new States have been admitted into our Union of States has statehood failed as a political and social institution.

But that is not by any means the full answer. State governments and their expenditures must of course be financed primarily by State revenue laws, and we have a duty to look at whether the State of Alaska has the resources and the development sufficient to support State government, and, secondly, whether her people are ready and willing to tax themselves to provide the services of statehood.

Mr. President, as the controller of the State of California for almost 7 years, first by appointment from the Honorable Earl Warren, then the great Governor of California, and thereafter by election and reelection, I think I can lay some claim to being at least a student of State finances.

ALASKA CAN AND WILL SUPPORT STATEHOOD

It is my considered judgment, based on my experience in the fiscal field in my own California State government, that Alaska does, in fact, have the means to support a State government, and that she does, in fact, have the will to do so.

So that the Members of the Senate may have before them the factual background, I ask unanimous consent that the official statement of the tax commissioner of Alaska may appear at this point in the RECORD:

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF LICENSES AND TAXES COLLECTED BY THE DEPARTMENT OF TAXATION OF THE TERRITORY OF ALASKA, FOR THE PERIOD JANUARY 1, 1957, TO DECEMBER 31, 1957

Title 48, chapter 2, section 17, ACLA 1949, states that the tax commissioner shall prepare and annually publish statistics with respect to the revenues derived under the tax laws administered by him. In keeping with this statute the following is submitted for publication:

| Revenues—Taxes collected account classification | Total collections | Percent of total |
|---|---|---|
| Amusement and gaming devices | $76,379.50 | 0.34 |
| Automobile license registrations | 818,591.45 | 3.61 |
| Business licenses | 1,694,068.48 | 7.47 |
| Certificates of title | 97,574.50 | .43 |
| Motor vehicle lien fees | 26,666.00 | .12 |
| Dog licenses | 289.00 | |
| Drivers' licenses | 113,307.50 | .50 |
| Fisheries: | | |
| Cold storage and fish processors | 94,852.36 | .42 |
| Cold storage, freezer ships | 13,114.62 | .06 |
| Fish trap licenses | 47,200.00 | .21 |
| Fishermen's licenses, resident | 78,650.00 | .35 |
| Fishermen's licenses, nonresident | 81,415.00 | .36 |
| Fisheries—Continued | | |
| Gill net licenses | $9,568.00 | .04 |
| Raw fish tax | 2,119,705.90 | 9.34 |
| Seine net licenses | 18,460.00 | .08 |
| Sport fishing and hunting licenses | 164,309.78 | .72 |
| Inheritance tax, interest | 3,830.48 | .02 |
| Inheritance tax, principal | 44,592.14 | .20 |
| Liquor, excise taxes | 2,055,472.60 | 9.06 |
| Mines and mining | 30,289.11 | .13 |
| Miscellaneous fees | 119.05 | |
| Motor fuel oil tax | 3,508,502.24 | 15.46 |
| Motor fuel refund permits | 320.50 | |
| Net income tax | 9,486,744.84 | 41.82 |
| Property tax | 524.76 | |
| Punchboard tax | 1,980.00 | .01 |
| School tax | 557,582.15 | 2.46 |
| Tobacco tax | 1,051,606.82 | 4.64 |
| Prepaid taxes, suspense account | 11,565.20 | .05 |
| Liquor license application fees | 20,750.00 | .09 |
| Liquor licenses | 456,500.00 | 2.01 |
| Total | 22,684,531.98 | 100.00 |

Territory of Alaska, first judicial division.

I, R. D. Stevenson, tax commissioner, Department of Taxation of the Territory of Alaska, do hereby affirm that the above statement is correct and true to the best of my knowledge and belief.

R. D. STEVENSON,
*Tax Commissioner.*

Mr. KUCHEL. Mr. President, those official figures bring us up to the end of the calendar year 1957. For the current situation, I present to the Senate a report from the governor's tax committee, published in the Fairbanks News-Miner of June 6, under the headline "Reports Show Cash Balance for Alaska State Treasury."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REPORTS SHOW CASH BALANCE FOR ALASKA STATE TREASURY

(By Jack De Yonge)

Should statehood come to Alaska this year, the Territory will change status in a healthy financial condition, reports from the departments of taxation and finance showed today.

The figures, received by John Butrovich, Jr., of the governor's tax committee, shows that total tax collections in Alaska are running more than 2 percent ahead of estimates for the first 11 months of the biennium and that the Territory had a cash balance of $5,154,844.23 in its general fund as of the end of April.

From July 1, 1957, to May 31, 1958, the Territory collected $22,707,300, or 48.2 percent of the total estimated gross collections for the 24-month period ending June 3, 1959—an amount 2.4 percent above estimates for the 11 months.

Biggest single item in the collections was the income tax, which brought in $9,376,807.77 during the periods, leaving $10,623,192.23 to be collected in the remaining 13 months.

"And there was no income tax from the workers on the Sitka pulp mill construction in these figures," Butrovich pointed out. "The heavy payroll there will be from July 1 of this year to July of 1959." Approximately 1,500 men will be working at Sitka building the mill.

Total estimated revenues from taxes for the biennium are $47,098,600. A total of $24,391,299.68 remains to be collected in the next 13 months.

SIGNIFICANT BALANCE

Butrovich called the cash balance in the general fund significant in that expenses for the biennium thus far have been paid and yet over $5 million remains.

He estimated that nontax revenues from oil and mineral leases will bring the Territory $6 million over the biennium and that income from the insurance tax will run to over a million dollars for the same period.

The motor fuel oil tax was second in importance to the income tax for putting money in the Territorial coffers, bringing in $3,540,678.61. However, this money is ear marked for airfields and roads, not general fund use.

Next in importance was the $1,678,323.38. Others were: alcoholic beverage excise tax with a total of $1,795,578.79 collected, followed by the business license revenue.

Raw fish tax, $1,647,944.27; motor vehicle registrations $1,337,018.05; cigarette tax, $944,328.79.

Mr. KUCHEL. Mr. President, as will be seen from the Tax Commissioner's report, Alaska's present revenue structure is based principally on an income tax designed on a percentage of the Federal income tax. It thus permits flexibility, the percentage capable of being altered by each legislature according to the people's need. It obviates for the taxpayers the annual headache of having to figure out two different income-tax returns; it makes for ease of audit, since the Territorial tax department has access to the Federal returns; it hereby saves collection costs.

Other taxes are a per case tax on salmon based on the value of the pack, business license taxes, and a variety of excise levies on liquor and tobacco as well as a head tax on every adult receiving income in the Territory. There is a gasoline tax, earmarked for highways. There is neither a Territorial property tax nor a Territorial sales tax. These are left to the lesser political units—municipalities and school districts—but they remain, of course, available should more State revenue be required.

NO TERRITORIAL DEBT

Alaska has no indebtedness. Alaska has no counties and hence no county taxes. Alaska now performs, as stated previously, all the needed services of government except those which Congress has specifically prohibited. These, which will be added under statehood, and the estimated annual costs of operating them are, in round figures, as follows:

Courts, $2 million; Governor's office and legislature, $500,000, totaling an additional $2½ million a year.

But against these additional liabilities there are substantial offsets.

Approximately $1,500,000 annually will be forthcoming from 70 percent of the net revenues of the Pribilof Islands Seal fisheries. This has for 47 years been wholly a Federal operation in which, though an Alaskan resource, Alaska has not shared. The statehood bill properly provides for such sharing.

Fines, fees, and forfeitures of the court system, revenues derived from the State lands, and miscellaneous receipts make up an amount estimated at $500,000 annually.

Last year, Congress, in anticipation of statehood, and in lieu of participation in the Federal reclamation program, awarded Alaska 90 percent of gross receipts from the oil, gas, and coal leases on the public domain. Oil was struck last summer on the Kenai Peninsula, and since then oil leases have been filed on 25 million acres, which though only one-fifteenth of Alaska's area and a small part of its potential oil lands, already presents an accrual of approximately $2 million a year. And the filing is continuing.

With the establishment of a second pulp mill—another year 'round industry—at Sitka, which will go into operation in 1960, national forest receipts, now running to about $150,000 annually, will be doubled.

Thus it will be seen that the safely anticipated revenues closely approximate the added costs of statehood.

AMPLE SOURCES OF NEW TAXATION

To meet any additional costs, the State of Alaska will, as I say, have the opportunity to levy a sales tax and, if it so desires, an ad valorem tax on property. They supply an ample margin for additional income. But Alaskans' expectations, which history has shown to be warranted, are that the greatly increased development brought about by statehood will substantially augment her existing sources of revenue.

An example of Alaska's expectations is contained in the report of the Legislative Council of Alaska. In a meeting of the council at Nome, Alaska, on June 9, Phil Holdsworth, Territorial Commissioner of Mines, reported to the council that the Territory can reasonably expect income to Alaska from oil and gas operations as follows: 1958–59, $2,600,000; 1959–60, $8,200,000; 1960–61, $13 million; and up to $15 million in 1964. This estimate does not include the possible development of oil and gas in the Gubik area.

STATES SET OWN LEVELS OF EXPENDITURE

As a former participant in the fiscal affairs of a State, there is no doubt in my mind that Alaska can and will support statehood adequately from her own revenues.

Also, there is this fact: There is no set level for State expenditures. In our Union now we all know there is a wide divergence between the services, such as education, public health, roads, parks, and the like, supplied to their citizens by the States of New York and California, for example, and those supplied by some of the less-privileged States. The States can and do base their expenditures on their income. Alaska will do likewise.

The bill before the Senate carries out the intelligent, conscientious effort first begun in the 83d Congress by the late Senator Hugh Butler, of Nebraska, then the chairman of the Committee on Interior and Insular Affairs, and a friend of the present distinguished occupant of the chair [Mr. MURRAY] and a friend of mine and of other members of the committee, to enable Alaska to support statehood. I remember those days; they were my first days in the Senate. Senator Butler at first had been opposed to Alaska statehood. He headed a group of 6 Senators from the Interior Committee which visited Alaska in the summer of 1953. The then committee chairman's avowed purpose was to try to prove, first, that Alaskans did not want statehood; and second, that they could not support it.

EXTENSIVE HEARINGS THROUGHOUT ALASKA

Hearings were held in all of the major cities of Alaska, and scores of persons were interviewed privately.

Hugh Butler was a big man. From the hearings he conducted, he realized that he had been wrong on both counts. He acknowledged his error and took prompt steps to rectify it. As a result, the Alaska statehood bill in the 83d Congress was drastically amended to provide the proposed State with enough of its natural resources to enable it to enter the Union on a truly free and equal basis.

The measure now before the Senate is substantially the measure Hugh Butler sponsored and fought for in the 83d Congress.

I pay tribute to the late Senator Hugh Butler of Nebraska for his greatness of mind and heart, and his genuine intellectual honesty, in changing his position on Alaska statehood, not only in words, but in deeds. I trust that all of the people of Alaska, both now and when it becomes a State, will join me in revering his memory. He was one of the best friends the people of Alaska could have.

LEGISLATIVE HISTORY

Now that I am on the subject of legislative history, I shall sketch, briefly, some of that long, arduous, history.

Mr. President, what is now before the Senate is a measure which has been worked over—and very well worked over—to combine the desirabilities of statehood with the necessities of national defense and economic development. Such a combination is not easy to achieve; the gestation period of statehood has already run for 90 years and the baby has not yet been born. But we think that advocates of statehood have profited by the hearings and examinations of the past, and that this bill does in fact present a proper vehicle for statehood.

Let me review briefly what has gone before, to give Senators an indication of the years of study and preparation which lie behind the proposed legislation now before the Senate. The first statehood bill was introduced by the then Alaskan Delegate James Wickersham on March 30, 1916. Incidentally and parenthetically, Judge Wickersham was a Republican. I point this out to indicate, not only to Senators on both sides of the aisle, but to the people of the country, that this is in no sense a partisan struggle. It represents an opportunity to discharge a commitment to the people of Alaska, and is concurred in by both major parties, as I indicated earlier, in their convention platforms.

ACTION IN EARNEST IN 80TH CONGRESS

Only 10 years earlier Alaska had been authorized to send a delegate to Congress, although it was organized as a Territory in 1884—almost three-quarters of a century ago.

In both the 78th and 79th Congresses, statehood bills were introduced, but little action was taken on them. The real preparation for statehood began in 1947, in the 80th Congress.

At that time bills were introduced in the House of Representatives; and after referral to committee, hearings were held both in Alaska and in Washington. A statehood bill based on the hearings was reported to the House, but no further action was taken.

In the 81st Congress, bills were introduced in both the Senate and the House of Representatives. The House passed Delegate BARTLETT'S H. R. 331, and the Senate Interior Committee held extensive hearings on it. The bill was reported favorably—the first time Alaska statehood had ever been reported to the Senate. The motion to consider it was debated for 8 days, and was finally withdrawn when it was clear that a full-scale filibuster was in progress.

The roles on statehood were reversed in the 82d Congress. Statehood bills were introduced into both Houses, but only the Senate acted. Its action, however, was to recommit the measure to committee—by a one-vote margin.

JOINDER OF ALASKA FATAL

In the 83d Congress, the tempo of the statehood fight was stepped up. Both Houses had statehood bills before them, and committees of both Houses held hearings on Alaska statehood both in Washington and in the major cities of the prospective State. The House of Representatives approved a Hawaii statehood bill but took no action on Alaska. The Senate took the House approved Hawaii bill and proceeded to add to it an amendment providing for Alaska statehood. I opposed that amendment. I think I was correct in opposing it. On March 11, 1954, when the question of tying the 2 together in 1 parliamentary package was before us, I said:

Mr. KUCHEL. Mr. President, so that there may be no misunderstanding, I desire to say that I shall vote for statehood for Hawaii; I shall vote for statehood for Alaska; and I shall cast my vote in that fashion whether the bills are presented separately or whether they are tied together.

The question which is now before the Senate does not touch the merits of the case for statehood for either Territory. The question now before the Senate is parliamentary in nature. It has been presented by my friend the able Senator from New Mexico [Mr. ANDERSON], and it takes the form of an amendment to tie the 2 statehood proposals together in 1 bill. The Senator from New Mexico is in favor of statehood for both Hawaii and Alaska, and it is his sincere desire, in offering his amendment, to make it easier for each Territory to be admitted as a State.

But, Mr. President, we are confronted with an extremely paradoxical situation, because there are Senators who will join in supporting the amendment of the Senator from New Mexico for exactly the opposite reason, and they will vote in favor of his amendment, not because they want statehood for either Territory, but because they are opposed to statehood for both.

So, Mr. President, under the circumstances, I think those of us who desire to vote for statehood for each Territory will best serve the purposes of each Territory by opposing the amendment of the Senator from New Mexico and, after having discussed the merits of each one at a time, vote first, on the issue of Hawaiian statehood, and then, as my colleague, the majority leader, has suggested, immediately following that, vote on the question of statehood for Alaska.

I do not quarrel with those in this Chamber who take a different position regarding the future status of the two Territories than that at which I have arrived, but I feel that in opposing the amendment of the Senator from New Mexico I am lending what little strength I possess to having the Senate ultimately pass on the merits of the question of statehood for both Hawaii and Alaska.

I regret very much that by a vote of 46 to 43, the Senate proceeded to tie the 2 bills together. After the combined statehood bill was approved, it was sent to the House, where it died. I mention this simply to argue, on the record, that legislative tampering has sometimes resulted—did result in this instance—in destroying Hawaii statehood and Alaskan statehood as well.

HAWAII DELEGATE BACKS SEPARATE CONSIDERATION

In passing, I pay tribute to the delegate from the Territory of Hawaii, Hon. JACK BURNS, who has said that he hopes the Senate will consider statehood for Alaska separate and apart from statehood for Hawaii.

Eight statehood bills were introduced in both Houses of the 84th Congress, and committees of both the Senate and the House of Representatives held hearings on Alaska statehood. The only Chamber action taken was in the House of Representatives, which recommitted a combined Hawaii-Alaska statehood bill.

In this Congress, 11 Alaska statehood bills have been introduced. The measure before us is backed by the findings of hearings held last year by committees of both Houses, and bears the imprint of the hearings and studies of Alaskan statehood that have been conducted, both in and out of the Congress, for more than a quarter century.

There can be little doubt that the legislative preparation for statehood is profound and complete. There is also excellent evidence that the people of Alaska have prepared, and are prepared, to assume the obligations of statehood.

Twelve years ago, the voters of Alaska approved a referendum on statehood. Again and again, the Territorial legislature has memorialized Congress on behalf of statehood. Last year, the Territorial legislature voted unanimously to ask immediate statehood for Alaska.

ALASKANS WANT IMMEDIATE STATEHOOD

But more to the point than such formal action is the impressive manner in which the people of Alaska have set about to establish the machinery for statehood, once such status should be granted. In 1955, a state constitutional convention was authorized, and in the following year a constitution drawn up by that convention was overwhelmingly ratified by the voters in a Territory-wide referendum. That constitution has been described as a model for republican government, and has been found to be strictly in accord with the Federal Constitution. The text of Alaska's constitution may be found in the committee reports accompanying Senate bill 49 and House bill 7999.

Mr. President, before I conclude, I want to say one word more about the most important resource that Alaska or any other area can have—her people. Alaska's population, like that of California, is vigorous, youthful in its dynamic approach to its problems, growing, and expanding. It is a population that has accepted the responsibility for self-government, and now is asking for the opportunity to discharge that responsibility. Alaska has a well-educated population. On the basis of the 1950 census, the figure for the median school years completed by Alaska residents was 11.3—practically the equivalent to high-school graduation. That accomplishment ranks Alaska ahead of nearly every State now in the Union. Alaska has a fine land-grant university, which is training her people for their future roles in what will become a great State. Of the last 17 States admitted to the Union, more than half had no such land-grant college or university at the time of admission.

NO HONORABLE ALTERNATIVE TO STATEHOOD

Within the limitations of Territorial status, Alaska is a going concern. The people of Alaska have organized a government fully capable of dealing with the responsibilities and demands of statehood. They have organized an educational system that reaches throughout the Territory. The people of Alaska are supporting their government, their educational system, and their economy in the same successful manner employed by citizens of all of the fully self-governing States of the Union. While the accomplishments of Alaska are significant, and her people are doing all they can under Territorial status, the full measure of achievement is denied to Alaska. There can be no doubt but that Alaska's already tremendous growth will be insignificant, as compared to her expansion and development once statehood is granted.

Alaska has earned statehood. She is worthy of the honor. She is ready for the responsibilities of statehood.

To deny Alaska statehood would be to deny ourselves the fullest use of her enormous natural and human resources.

To deny Alaska statehood would be to deny her people the fullest enjoyment of liberty that has been the touchstone of our Nation since Revolutionary days.

To deny Alaska statehood would be to break America's word and to breach the commitments of the two great political organizations of this country.

Mr. President, the Senate has no honorable alternative to granting statehood to the people of Alaska.

Mr. President, I ask unanimous consent that an excellent editorial in the Los Angeles Examiner of June 21, 1958, entitled "Statehood Now," be incorporated at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STATEHOOD NOW

With the campaign for Alaskan statehood nearing the moment of final decision in the United States Senate, there is new and vital public interest in the fact that the potential oil resources in Alaska probably constitute the greatest remaining pool in the whole world.

It dramatically underlines the wisdom and necessity of statehood for Alaska that the oil-bearing regions of our northern Territorial outpost may be richer than Texas, and not only bigger than the fields of the Middle East but of easier access to us and more easily defended in the event of war.

The fact that the Free World as a whole, and America itself in some degree, is dependent for oil in a large measure upon the Middle Eastern fields which are menaced by Soviet Russia even now and would be vulnerable to Communist control or destruction in war, is a worrisome thing.

But with the prospects so good that Alaskan oil reserves will give us independence in this respect, within the limits of our own continent, the withholding of statehood not only reflects American indifference and complacency in an urgent situation, but becomes stupid and absurd.

To continue the colonial status of Alaska in the light of the fact that the Alaskan resources, not only of oil but of many other strategic minerals and products, may someday mean the difference between our survival and our defeat in a major war, is shortsighted beyond excuse or understanding.

It has been said that the failure of the statehood program for Alaska at this session of Congress will mean its postponement for an unforeseeable time—a gamble with American security and prosperity that makes sense only to our enemies, and that makes fools of all the rest of us.

Mr. JACKSON and Mr. SMITH of New Jersey addressed the Chair.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Does the Senator from California yield; and if so, to whom?

Mr. KUCHEL. I yield first to the able chairman of my Subcommittee on Territories.

Mr. JACKSON. Mr. President, I wish to congratulate my able colleague from California for an exceedingly fine presentation of the statehood issue.

I particularly wish to commend him for his brilliant citation of historical precedents which clearly support statehood for Alaska.

Last of all, let me say that I was very much impressed with the data and other material submitted in support of the financial integrity of Alaska and the ability of this new state-to-be to handle its fiscal affairs.

I believe the distinguished junior Senator from California has made a very helpful suggestion in calling the attention of the Senate to the development of an entirely new resource in Alaska, namely, oil. I know that those of us who serve on the committee have been impressed by the total number of acres either under lease or applied for, which aggregate approximately 32 million. It is my understanding that, in addition, all the major oil companies and an untold number of independent oil companies are now in the process, at one stage or another, of exploratory and development work in Alaska. This will provide, as the Senator from California has so ably pointed out, an entirely new source of revenue to support the new State—a source which heretofore has not been properly calculated.

Again, I wish to commend the Senator from California for his very effective presentation of this issue.

Mr. KUCHEL. I thank my friend very, very much, indeed.

Mr. SMITH of New Jersey. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield to the distinguished Senator from New Jersey.

Mr. SMITH of New Jersey. As the Senator from California knows, for some years I have been very much interested in the subject; and of course I have associated the admission of Alaska with the admission of Hawaii. I believe the Senator from California was correct in taking his position in favor of the admission of both of them as States.

I assume that the Senator from California believes that when Alaska is admitted, Hawaii should also be admited.

Mr. KUCHEL. Indeed I do.

Mr. SMITH of New Jersey. A great many questions have been asked me, and I shall submit a few of the basic ones, on which I should like to have the Senator from California expound.

But, first, I should like to congratulate him on his very able presentation. As the Senator from Washington [Mr. JACKSON] has said, the Senator from California has given a very impressive exposition of historic facts and data.

Mr. KUCHEL. I thank the Senator from New Jersey.

Mr. SMITH of New Jersey. Of course, I am concerned from the standpoint of the national security interests and the Nation's foreign policy.

Questions have been asked me along the following lines:

First, am I correct when I say that approximately 70 percent plus of the area will be in the Federal strategic area which the United States will need for its security?

Mr. KUCHEL. The actual fact is that when the new State has made all of its withdrawals, the Government of the United States will still own approximately 72 percent of the area. But the pending bill provides specific authority for the President of the United States to take such area as may be necessary for the defense of our country and to make it, to that extent, subject to the jurisdiction of the Federal Government.

Mr. SMITH of New Jersey. I am very glad to obtain that answer.

Does the Senator from California, from his study of the matter in committee, feel that from the security standpoint alone—without regard to the other arguments in regard to admission—Alaska as a State would be of more importance strategically for the United States than as a Territory over which the Federal Government would have complete control?

Mr. KUCHEL. I wish to answer that question, first, by referring to the hearings which were held in the Senate committee 8 years ago—in 1950—on this question. I now read a letter, which appears at page 45 of those hearings—from the then Secretary of Defense under the then President, Mr. Truman:

THE SECRETARY OF DEFENSE,
*Washington, April 18, 1950.*

Hon. JOSEPH C. O'MAHONEY,
*Chairman, Committee on Interior and Insular Affairs,*
*United States Senate.*

MY DEAR SENATOR: This letter is further in response to your communication of March 30, 1950, in which you make reference to two bills. H. R. 331 and H. R. 49, which, if enacted, would admit the Territories of Alaska and Hawaii, respectively, into the Federal Union as States. Because I understand that your committee intends on April 24 to commence hearings on H. R. 331, which concerns Alaska, and to hold hearings beginning May 1 on H. R. 49, the Hawaiian proposal, I address this letter to you for the purpose of expressing the concurrence of the Department of Defense in both proposals.

As you know, the administration has repeatedly expressed itself as favoring Hawaiian and Alaskan statehood and both proposals have again and again been introduced by the President. On January 4, in his state of the Union message, President Truman urged that the Congress during 1950 "grant statehood to Alaska and Hawaii." The enactment of H. R. 49 and H. R. 331 would, I believe, effectively accomplish this objective.

You asked in your letter of March 30 as to whether from the point of view of national defense, it would be advantageous to extend statehood to Alaska and Hawaii, and you inquired specifically as to whether statehood would give greater strength to our military position in those areas than does the present Territorial type of local government. It is obvious that the more stable a local government can be, the more successful would be the control and defense of the area in case of sudden attack. There can be no question but that in the event of an attack any State would be immensely aided in the initial stages of the emergency by the effective use of the State and local instrumentalities of law and order. By the same token it would seem to me that, as persons in a position to assist the Federal garrisons which might exist in Hawaii or Alaska, the locally elected governors, sheriffs, and the locally selected constabulary and civil defense units all would be of tremendous value in cases of sudden peril. Therefore, my answer to your question is that statehood for Alaska and Hawaii would undoubtedly give a considerable added measure of strength to the overall defense of both areas in event of emergency.

I am not attempting in this letter to endorse the specific language of either of the bills under consideration, but I do wish strongly to support the principle of granting immediate statehood to both the Territories of Alaska and Hawaii as in the best interests of the United States and of all of its peoples both here and in the Territories.

With kindest personal regards, I am,
Sincerely yours,

LOUIS JOHNSON.

I think the letter officially and, in my judgment, excellently contains an answer by one in a position of high responsibility to the relevant question which my friend the Senator from New Jersey has asked.

Mr. SMITH of New Jersey. Since the statement was made some 8 years ago, is the Senator from California, as a member of the subcommittee, satisfied that today, with changing world conditions, the same statement would be true, and that we would be taking the right step, from the national security standpoint, in admitting Alaska as a State?

Mr. KUCHEL. Yes. In the hearings which were held last year, Gen. Nathan Twining, then the Acting Chairman and subsequently the Chairman of the Joint Chiefs of Staff, appeared before the committee. I was there. I recall his testimony very well. He testified both officially and personally. He appeared there in favor of statehood for Alaska, as had been recommended by our Commander in Chief, President Eisenhower.

Earlier today a part of the testimony of the Chairman of the Joint Chiefs of Staff before the House Committee on Interior and Insular Affairs was placed in the RECORD, and I shall not detain the Senate by reading it again; but the Chairman of the Joint Chiefs of Staff indicated that the Defense Department unhesitatingly favored statehood for Alaska, under provisions which the President himself had favored, and which are in the bill before the Senate.

Mr. SMITH of New Jersey. I should like to ask one more question, if I may. The Senator from California has very ably discussed the fiscal situation and the extent to which Alaska can balance its budget. A large part of the State of Alaska would be under Federal control and probably exempt from taxation. That is the problem faced by many Western States. I lived for a time in Colorado, and I know what it means to have large areas under Federal control and not subject to taxation. Would that fact influence and seriously affect the figures cited by the Senator with regard to the balancing of its budget by Alaska today?

Mr. KUCHEL. That question is highly important, and is certainly relevant. Provision is made in the House bill, as was done in the Senate bill, for the acquisition by the State of Alaska, over the next 25 years, of roughly 25 percent of the vast expanse of territory which Alaska has within its confines. When Federal control terminates, the holding will be placed in the hands of the State government. The State would, I think, be able to act with the some constructive influence which in the early days of the Senator's State and my State characterized the actions of our predecessors there. Surely, the question of Federal ownership is one which some day we shall have to face up to all across the country. My State of California is owned 50 percent by the Federal Government, and thus ad valorem taxes fall on only one-half of the land in the State.

The point of the Senator from New Jersey is a valid and sharply relevant one. I believe, however, on the basis of the values of property in Alaska as they have been estimated, the tremendous wealth in the ground in minerals, and on top of the ground in timber, plus the other great natural resources, the State of Alaska will be able to make maximum use of the property which it will obtain under the bill from the Federal Government. This provision constitutes one additional assurance. I feel sure that economically the new government will succeed.

Mr. SMITH of New Jersey. I thank the Senator for his replies and for his very clear presentation, which has been helpful to me in my thinking.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado.

Mr. DIRKSEN. Mr. President, I wanted to ask the acting majority leader [Mr. MANSFIELD] whether he anticipates any record votes today.

Mr. MANSFIELD. No. I believe the Senate will remain in session quite late, but only speeches will be made. I understand there are three points of order against the bill at the desk. I hope we can consider them tomorrow. So far as today is concerned, the remainder of the session will be used for speeches on the subject before the Senate.

Will the Senator from Colorado yield further?

Mr. ALLOTT. I yield.

## ORDER FOR RECESS UNTIL 11 O'CLOCK A. M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today it recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTION OF CERTAIN LEADERS OF REVOLT IN HUNGARY

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. KNOWLAND. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield to the minority leader.

Mr. KNOWLAND. On June 19 the Senate adopted by unanimous vote—the yea-and-nay vote was 91 to 0, as I recall—Senate Concurrent Resolution 94, on the Hungarian situation. The House has adopted a comparable concurrent resolution, which is identical in all details with the language of the Senate concurrent resolution. I refer to House Concurrent Resolution 343.

Because both the Senator from Minnesota [Mr. HUMPHREY], who submitted the concurrent resolution, and I feel it is far more important that a resolution be promptly acted on than have it tied up in a conference or have a problem arise as to which House is adopting which resolution, we are prepared to recommend to the Senate, and I do now recommend, that it agree to the House concurrent resolution, which deals with the same subject matter, so that action by the Congress of the United States can be completed on one of the concurrent resolutions expressing the feeling of the Congress regarding the executions of Premier Nagy, General Maleter, and their associates, by the puppet government of Premier Kadar, of Hungary, and his Soviet masters.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California that the Senate temporarily lay aside the unfinished business and proceed to the consideration of House Concurrent Resolution 343?

There being no objection, the Senate proceeded to consider the House concurrent resolution.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the text of House Concurrent Resolution 343, which is identical with the Senate concurrent resolution on the same subject, be printed in the RECORD at this point.

There being no objection, the concurrent resolution (H. Con. Res. 343) was ordered to be printed in the RECORD, as follows:

Whereas the revolt of the Hungarian people in 1956 against Soviet control was acclaimed by freedom-loving people throughout the world; and

Whereas the suppression of the Hungarian revolt of 1956 by the armed forces of the Soviet Union was condemned by the General Assembly of the United Nations; and

Whereas the leader of the Hungarian Government and people in the unsuccessful revolt against Soviet oppression was induced to leave the sanctuary of the Yugoslavian Embassy in Budapest on promises of safe conduct and fair treatment on the part of the Hungarian Communist regime which was not in a position to take such action without the approval of the Soviet Union; and

Whereas these promises were treacherously ignored by Soviet forces and Imre Nagy was seized and held incommunicado; and

Whereas the Soviet imposed Communist regime of Hungary has now announced that Imre Nagy, together with his colleagues Miklos Gimes, Pal Maleter, and Jozsef Szilagyi have been tried and executed in secret; and

Whereas this brutal political reprisal shocks the conscience of decent mankind: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress of the United States that the President of the United States express through the organs of the United Nations and through all other appropriate channels, the deep sense of indignation of the United States at this act of barbarism and perfidy of the Government of the Soviet Union and its instrument for the suppression of the independence of Hungary, the Hungarian Communist regime; and be it further

*Resolved*, That it is the sense of the Congress of the United States that the President of the United States express through all appropriate channels the sympathy of the people of the United States for the people of Hungary on the occasion of this new expression of their ordeal of political oppression and terror.

The PRESIDING OFFICER. The question is on agreeing to House Concurrent Resolution 343.

The concurrent resolution was agreed to.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

Mr. KNOWLAND. I wish to thank the distinguished Senator from Colorado for his courtesy in yielding.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6322) to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed.

## STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. DIRKSEN. Mr. President, I ask unanimous consent, if the Senator is willing to yield for this purpose, that the Senator from Colorado may yield to me without losing his right to the floor, so that I may suggest the absence of a quorum.

Mr. ALLOTT. I should be happy to yield for that purpose.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORTON in the chair). Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, before beginning my address, I should like publicly to comment upon the very excellent statement made by the junior Senator from California [Mr. KUCHEL], who preceded me upon the subject of Alaska statehood. In my judgment, the Senator made an outstanding statement and advanced an outstanding argument for the case of statehood for Alaska. I certainly would not want this opportunity to pass without complimenting the Senator for the excellent way in which he handled his subject.

Prefatory to my own remarks, I should like to say my own statement will cover primarily the historical and legislative background of the Alaskan situation.

Mr. President, on March 19 I made a short statement setting forth some of the reasons for immediate action on statehood for Alaska and Hawaii. At this time, I want to expand by statement on Alaska. To prevent misunderstanding, however, let me begin by saying that I still adhere to this view I expressed on March 19:

> It is my understanding the administration opposes the joining of the Alaska bill with the Hawaii bill. For myself, I shall oppose any motion to join the two bills.
>
> I am for statehood for both Territories, and I am in accord with our distinguished minority leader in the hope that we will have an opportunity to vote on each of the bills so that the qualifications may be determined for each Territory on its own merits.

Since that statement was made, the Senator from California [Mr. KNOWLAND] has reaffirmed his stand; on June 12 he announced that he will vote for Alaskan statehood and oppose any move to join the bills. Despite the fact that the majority leader has not seen fit to give an assurance that the Hawaii bill will be considered by this body after the Alaska bill, the senior Senator from California has said that he will do everything possible to get this body to consider a separate Hawaii bill this year—his last year in the Senate.

I am happy again to associate myself completely with the objectives of our minority leader.

Mr. President, I say in all sincerity that, in my opinion, there should be no fewer than 70 affirmative votes in this body on the issue of the admission of Alaska into the Union. For 70 Members of the Senate would not be here today if, in considering the admission of their 35 States, our forefathers had heeded such objections as those now raised against statehood for Alaska. Moreover, if the Senators from our Original Thirteen States follow the example of their illustrious predecessors, they, too, will vote to admit Alaska. How significant it would be if after 91 years of apprenticeship this great land—Alaska—would receive a unanimous vote of confidence.

Alaska has been a part of the United States since 1867. By the Treaty of Purchase with Russia, we acquired almost 376 million acres for $7,200,000—52 acres for every dollar. And many called this historic transaction Seward's Folly. Representative N. P. Banks, of Massachusetts, however, was not one of them. Here is what he said on June 30, 1868, as he led the fight for an appropriation to put into effect the Treaty of Purchase for Alaska:

> It is said that this Territory is worthless, that we do not want it, that the Government had no right to buy it. These are objections that have been urged at every step in the progress of this country from the day when the forefathers from England landed in Virginia or in Massachusetts up to this hour. Whenever and wherever we have extended our possessions we have encountered these identical objections—the country is worthless, we do not want it—the Government has no right to buy it. * * *
>
> If we read the early accounts of the colonists when they abandoned Virginia, or of the colonists of Massachusetts who did not desert their settlements, and what was said by their friends at home, we should learn something of the features of a worthless country.
>
> They remember what they said about Louisiana at the time of its purchase; when a Senator from Massachusetts declared that it would benefit the Atlantic States to shut up the Mississippi River, and he should be glad to see it done. We remember what was said about Texas, that part of the country which from the same disregard of its value had been surrendered by the United States in its negotiations with Spain for the acquisition of Florida; that the country was barren, sterile, a wilderness never wanted by us; that it would cost more than it was worth to keep it. With declarations like these we gave Texas—not to Spain; for before Spain could get possession, Mexico conquered its independence from Spain and with its liberty acquired the province of Texas. There had never been, by any nation, a more unnecessary surrender of territory. We recovered it after the lapse of a quarter of a century with an expenditure of treasure and the sacrifice of life that did not terminate with those who fought or fell in the struggle for the reannexation of Texas to the United States.
>
> The acquisition of California brought with it the same reproaches. It was called the end of creation, and it was said nobody would ever go there. I have many times heard the governor of one of the Western Territories speak of a debate upon a memorial he presented to the Senate at the session of 1845 or 1846 for an overland mail across the continent. One of the first Senators of this country said:
>
> "What use, Mr. President, have the American people for the sandy deserts and arid wastes of the vast interior of the continent, or the rocky coast of the Pacific, destitute of harbors and unprofitable to commerce? Nothing whatever. I will not vote 1 red cent from the Treasury to place the rock-bound shores of the Pacific 1 inch nearer the Atlantic than it now is."
>
> It was said at a later day in the Senate that the valley of the Columbia River was useless to us, costing more every year for its government than its entire value. "We are going to war," it was said, "for the navigation of an unnavigable river."
>
> Upon representations like these we surrendered British Columbia to Great Britain. Mr. John Quincy Adams said in this House that she had no title to it whatever. We acquired it by the Treaty of Ghent, then unsettled our title by joint occupation, and finally gave it up altogether upon the pretext now urged in regard to Russian America, that it was worth nothing, costing more than its value every year to govern it.
>
> It is but a few years since the whole world regarded the country between the hundredth meridian of longitude and the Oregon cascade as barren and worthless. It was compared by the officers of the Government in 1863 to the Asiatic deserts. This country is now organized into prosperous States and Territories, and in 1870 will contain more than 600,000 people; and 1 of the States of this region has given us in 5 years an industrial product of more than $50 million.

Many people argued that we should not pay for Alaska because it was a frozen wasteland—and too far away. To these arguments, Representative H. Maynard of Tennessee, on July 1, 1868, answered:

> We must not forget that * * * the southern portion * * * is in the same latitude as the British Isles, and the northern * * * in the same as Norway and Sweden. The probabilities certain are that it will be found equally habitable * * *. Distance, so far as it respects human intercourse, is measured by time, not by space. So reckoning, Alaska is nearer the Capital today than was California when admitted as a State. We all recollect when the distance from Boston to St. Louis was longer than it now is from Boston to Sitka.

Mr. President, we all know what our position would be today if the Russian sword hung like the sword of Damocles over the northern portion of this continent. Alaska is the key to our global defense. Brig. Gen. Billy Mitchell said in 1935:

> I believe in the future he who holds Alaska will hold the world, and I think it is the most strategic place in the world.

We must continue to fortify Alaska and build up our Nation's defenses in the north. But if Alaska, the cornerstone of our northern defense, is worth defending, is it not also worth developing? And how can it be developed fully without admission into the Union? The answer is simple: It cannot.

Why has the development of Alaska not already taken place? Listen to what a California Representative [Mr. Higby] said on July 7, 1868:

> When the American people get hold of a country there is something about them

which quickens, vitalizes, and energizes it * * *. Under Russian rule * * * Alaska has been useful only to a fur company * * *. Let American enterprise go there, and as if by electricity all that country will waken into life and possess values.

I repeat, Why has this new land not been vitalized and energized? In the first place, Congress has not responded to the needs of this Territory. For at least 17 years, we provided no government and no laws to stabilize development. Even after Alaska was made an organized district, in 1884, it was powerless to create even a Territorial legislature, and it continued to flounder in a situation which found the laws of Oregon specially applicable to it—laws constructed upon the framework of organized, local, self-governing entities, counties and municipalities, which Alaska did not have. For 28 years Alaska did not even have any Federal laws pertaining to the disposition of public land; yet the Federal Government owned 100 percent of the land.

Finally, nearly three decades after Alaska's acquisition, Congress established an organized government. The Organic Act of 1912 permitted Alaskans to elect a legislature, to organize municipalities, and to begin to mould a Territorial cocoon, in the traditional sense. The Territory became an embryo State. Again, however, the Congress imposed stringent limitations on the power of the Territory; no law was to be passed interfering "with the primary disposal of the soil." Because the Federal Government still owned about 100 percent of the soil, Alaskans therefore still had no means of accelerating the creation of a tax base, and no means of encouraging private enterprise to come to Alaska. The legislature could not grant any exclusive privilege or franchise without approval of Congress. It could not create county governments without affirmative action by Congress; and it could not create its own judicial system.

Notwithstanding these limitations, the first Territorial legislature met in 1913 in Alaska. It immediately memorialized Congress to help the Territory's development. This procedure has now continued for 45 years, and history continues to repeat itself. Examine with me some of the memorials of that first Alaskan legislature:

First. House Joint Memorial No. 4 of the Alaskan Legislature asked that the homestead laws be amended in their application to Alaska. Those laws, designed for the Midwest and the West, placed hardships on Alaska pioneers as they attempted to subdue the elements and carve out a new life in the climate of the north. Alaskans asked (1) that a small portion of the homestead—one-fortieth in the first 2 years, one-twentieth in the third, instead of one-sixteenth and one-eighth as in the States—need be reduced to cultivation; (2) that absence from the homestead for 6 months, instead of 5, in any one year, be permitted; (3) that the prior acquisition of a homestead elsewhere should not be a bar to filing for a homestead in Alaska; and (4) that a homestead entry be completed without a survey. This last request was particularly important, for the public land surveys had not been extended to Alaska, and the cost of private surveys was prohibitive.

It took 3 years to fulfill item 3, 5 years to accomplish item 4, both in Memorial No. 4. And no action has been taken to this day on either the first or second request in the same Memorial No. 4.

Second. House Joint Memorial No. 6 asked that the act of June 22, 1910, permitting agricultural entries on coal lands, be extended to Alaska. The request was never granted, but the act of March 8, 1922, achieved substantially the same result. That request, then, was almost fulfilled in 9 years.

Third. House Joint Memorial No. 14 asked that oil lands in Alaska be opened for development. They had all been withdrawn by Executive order in 1910. This request was partially fulfilled by the 1920 Mineral Leasing Act; it only took 7 years. Alaskans are still extremely conscious of the withdrawal question; about 92 million acres are withdrawn from entry today. Only recently, the Secretary of the Interior, Fred A. Seaton, started the procedure to open for mineral entry some 23 million acres above the Arctic Circle in Alaska.

Fourth. House Joint Memorial No. 15 informed the Congress of the limited area available for the extension and development of Juneau, the capital of Alaska, made the capital by act of Congress in 1912. The memorial pointed out that available areas could not be used for extension or development because they were not open to entry. These were the tidal areas, lands held in trust for the future State. All the legislature asked was that these lands be surveyed and made available to the city of Juneau on whatever terms and conditions the United States deemed desirable. When was this request fulfilled? This Congress—the 85th Congress—44 years later, by the act of September 7, 1957, provided a mechanism to make the lands available. As Senators recall, this act makes available for transfer to the Territory the so-called tidal flat areas adjacent to surveyed townsites.

Statehood for Alaska would have solved the Juneau problem immediately.

While the house side of this determined Alaskan Legislature was thus engaged, so, too, was the senate. There were further memorials:

Fifth. Senate Joint Memorial No. 1 of that 1913 Alaskan Legislature petitioned Congress to repeal the act of June 7, 1910. That act, applicable only to Alaska, gives adverse claimants an additional 8 months in which to make adverse applications for mineral entries in Alaska. The law has never been repealed.

Sixth. Senate Joint Memorial No. 9 asked that coal lands be opened for development. This request was promptly fulfilled by the Alaska Coal Leasing Act of 1914.

Seventh. Senate Joint Memorial No. 28 asked that assessment work requirements under the mining laws be modified with respect to Alaska. In lieu of performing assessment work, Alaskans sought the right to make a payment of $100 per claim to be used for road construction. Although the request has never been fulfilled, as late as the 84th Congress, H. R. 5554 was introduced to accomplish this purpose. The Department of the Interior offered no objection to H. R. 5554 in principle, but requested that the locator be required to comply with existing law for 5 years, after which the Alaskan suggestion should be followed. In Alaska, I might add, because of another act applicable only to Alaska, failure to perform assessment work on mining claims results in forfeiture of the claim; whereas in all of the States the claim is open to relocation but not forfeited. So a matter of particular importance to the economy of Alaska remains unresolved, despite the fact that Alaskans operate under a special statute not applicable elsewhere under the American flag.

Of all these memorials, pertaining to lands development and subjects upon which the Territory was powerless to act, 1 was accomplished in 1 year, 1 in 7 years, 1 in 9 years, and 1 in 44 years. Others were partially fulfilled: 1 in 3 years and 1 in 5 years. Two have never been acted upon.

Eighth. The last of these memorials of that first Alaskan Legislature which I will discuss at this point is Senate Joint Memorial No. 17. This memorial requested Congressional attention to the problems of mentally ill Alaskans; in particular it emphasized the need for mental hospitals in Alaska so that these people could be near their loved ones. The act of July 28, 1956—43 years later—responded to this request.

Lest I leave an impression apparently critical of the present Members of this body, let me endorse the following statement made by Secretary Seaton in a statement to the Interior and Insular Affairs Committee on March 26, 1957:

Members of the Senate and the House of Representatives deserve unqualified commendation for the long hours, the energy, and the careful thought which they devote to the problems of the Nation's Territories and island possessions.

* * * * *

To confirm my own impression on that point, I had a check made as to the volume of Territorial legislation considered by Congress recently. No less than 59 separate bills handled by this Territories Subcommittee were enacted into law dring the last Congress; 30 of those laws (just over half) related solely to Alaska.

I do, however, hold the belief that many of these problems would not occupy the time of the Congress if Alaska were a State. If the issues were to be presented to the Congress in any event, we could do our part much more intelligently if Alaska had two Senators here to plead her causes.

On March 16, I also mentioned briefly our implied pledge of statehood to Alaska. That pledge is derived from the third article of the Treaty of Purchase, which provides:

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years; but if they should prefer to remain in the ceded territory, they, with the exemption of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of

citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion.

It is interesting that this wording is almost identical with that of article III of the Louisiana Purchase Treaty of 1803. For myself, I do not believe this language compels Congress to admit Alaska, but I do believe it was a solemn pledge that Alaska would be admitted into the Union. And how was the Louisiana Treaty interpreted? Let me read a statement made by Representative R. M. Johnson of Kentucky on January 14, 18(?) during debate upon the admission of the Territory of Orleans, which, of course, is Louisiana:

The 30th day of April 1803, the United States acquired the Territory of Louisiana, the Orleans being a part, by a convention entered into with France at Paris, which convention was ratified by the President of the United States and the Senate, and the Congress made provision for the purchase money. The people of the Orleans Territory have been incorporated into the Union by purchase and adoption, and are entitled to all the rights of American citizens. The third article of said treaty specifies—"That the inhabitants of Louisiana (the ceded territory) shall be incorporated into the Union of the United States." We are thus solemnly bound by compact to admit this Territory into the Union as a State, as soon as possible, consistent with the Constitution of the United States.

Representative John Rhea of Tennessee made the following observation in the same debate:

The United States, a sovereign, have power to purchase adjacent territory. If all the territory of Louisiana had been vacant and unsettled, and citizens of the United States had from time to time purchased lands therein, and settled themselves and families thereon, and in time became sufficiently numerous to form a State, on the ratio of representation, the Constitution of the United States has fully provided in that case for their admission into the Union. If they cannot be admitted into the Union, will the gentleman tell us what he would do with them? How he would dispose of them? How he would govern or manage them? He appears unwilling in that case to manage and govern them united in the social bands of friendly union; it remains then only for him to govern them under a despotic rod of iron in the hand of unrelenting tyranny from age to age. * * * They have heretofore told you, sir, and they now tell you again by their memorial that they pledge themselves, and do solemnly swear allegiance and fidelity to the Nation, and do consider themselves a part thereof; and shall not their solemn declaration be believed? Or shall a jaundiced jealousy forever prevent them from the enjoyment of the rights, advantages and immunities, so solemnly guaranteed to them? But if the objection of the gentleman could at anytime heretofore have had weight, it now comes too late. The United States have acted on the treaty; they have enacted two laws providing Territorial governments for the people of Orleans, and they are solemnly bound and pledged to progress with them until they do admit them into the Union on the footing of the original States.

Similar statements were made in 1820, during consideration of the admission of Missouri. For instance, Representative Johnson of Virginia said:

Another gentleman from New York (Mr. Wood) contended that the President and Senate had no right to negotiate the treaty by which Louisiana was ceded to the United States; no right to stipulate for the admission of a people residing beyond the limits of the United States into the Union on a footing of equality with the original States. I understand that this treaty was submitted to the Congress of the United States; that it received the sanction of the House of Representatives, as well as the President and Senate; that the constitutional powers of the Government to negotiate such a treaty were then brought into discussion, and the right denied by Messrs. Griswold, Pickering, and Dana, who warmly opposed the treaty. But, sir, it is enough to say to the gentleman that he has made the discovery too late; that his protest for defect of title should have been earlier made. What is the situation of the people of Missouri? What has been the conduct of the Government of the United States? This country has been held for nearly 17 years. The people of the United States have been induced to migrate there in great numbers. The supreme law of the land guaranteed to them protection in the full and free enjoyment of their property. Land offices were established there, the public lands have been sold to them, and on terms very advantageous to the Government and people of the United States. Shall the Government, after deriving all the advantages which could result from this course of policy, say to the people that we purchased a defective title to this country; that we will take advantage of the defect in our own title, in order to impose hard and onerous conditions on you, as the price of your admission into the Union? Sir, shall the Government be permitted to do, with impunity, that which would crimson with blushes the cheeks of an individual?

Representative Pinckney of South Carolina said:

I have hitherto said nothing of the treaty, as I consider the rights of Missouri to rest on the Constitution so strongly, as not require the aid of the treaty. But I will, at the same time, say, that, if there was no right under the Constitution, the treaty, of itself, is sufficient, and fully so, to give it to her. Let us, however, shortly examine the treaty. The words are these: "The inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted, as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities, of the citizens of the United States." Of these it is particularly observable, that, to leave no doubt on the mind of either of the Governments which formed it, or of any impartial man, so much pains are taken to secure to Louisiana all of the rights of the States of the American Union, a singular and uncommon surplusage is introduced into the article. Either of the words, "immunities," "rights," or "advantages," would have been, of itself, fully sufficient. Immunity means privilege, exemption, freedom; right means justice, just claim, privilege; advantage means convenience, gain, benefit, favorable to circumstances. If either word, therefore, is sufficient to give her a right to be placed on an equal footing with the other States, who shall doubt of her right, when you now find that your Government has solemnly pledged itself to bestow on, and guarantee to, Louisiana all the privileges, exemptions, and freedom, rights, immunities, and advantages, justice, just claims, conveniences, gains, benefits, and favorable circumstances, enjoyed by the other States?

The right of Alaska to eventual statehood cannot be denied. Why should we not act to grant her request immediately? First, we hear that Alaska is not contiguous to the rest of the United States. This is not a new argument. It is an outgrowth, no doubt, of the passionate attacks made upon any area not within the original United States seeking admission to the Union. Note, for instance, the assertion of Representative Josiah Quincy of Massachusetts on January 14, 1811, during the debate on the admission of Louisiana:

Mr. Speaker, * * * I am compelled to declare it as my deliberate opinion, that, if this bill passes, the bonds of this Union are virtually dissolved; that the States which compose it are free from their moral obligations, and that as it will be the right of all, so it will be the duty of some, to prepare definitely for a separation—amicably if they can, violently if they must.

We find it hard to believe in this day and age that such things could have been said about the admission of the State of Louisiana into the Union.

Mr. Quincy was ruled out of order for that comment, later described as the "first threat of secession" in the Congress. Why did he make the threat? Listen again to his own words as he explained:

I think there can be no more satisfactory evidence adduced or required of the first part of the position, that the terms "new States" did intend new political sovereignties within the limits of the old United States. For it is here shown, that the creation of such States, within the territorial limits fixed by the treaty of 1783, had been contemplated; that the old Congress itself expressly asserts that the new Constitution gave the power for that object; that the nature of the old ordinance required such a power, for the purpose of carrying its provisions into effect, and that it has been, from the time of the adoption of the Federal Constitution, unto this hour, applied exclusively to the admission of States within the limits of the old United States, and was never attempted to be extended to any other object.

As he continued his argument, Representative Quincy's statement sounded strangely like some of the speeches made in the House a few weeks ago when the Alaska bill was debated:

This is not so much a question concerning the exercise of sovereignty, as it is who shall be sovereign. Whether the proprietors of the good old United States shall manage their own affairs in their own way; or whether they, and their Constitution, and their political rights shall be trampled under foot by foreigners introduced through a breach of the Constitution. The proportion of the political weight of each sovereign State constituting this Union depends upon the number of the States which have a voice under the compact. This number the Constitution permits us to multiply at pleasure, within the limits of the original United States, observing only the expressed limitations in the Constitution. But when in order to increase your power of augmenting this number you pass the old limits, you are guilty of a violation of the Constitution in a fundamental point; and in one also which is totally inconsistent with the intent of the contract and the safety of the States which established the association.

Furthermore, said Representative Quincy, the people of "New Orleans, or of Louisiana, never have been, and by the mode proposed never will be citizens of the United States."

Louisiana was, nevertheless, admitted in 1812. The problem of land outside the original United States was solved. Why then must contiguity be raised now

against Alaska? This was a strong argument against the purchase of Alaska, yet we completed the acquisition. Why? Because arguments, such as the one made by Representative Godlove Orth of Indiana in 1868, are as valid today as they were then. Representative Orth said:

The gentleman from Ohio [Mr. Shellabarger] * * * has stated as his principal objection that the Territory of Alaska is not contiguous to the United States; that by this acquisition we are entering upon a new and untried experiment; that hitherto our acquisitions have been of territory contiguous to our own; that the strength of a nation depends upon its compactness, and that we weaken ourselves by acquiring territory lying beyond our own possessions. I cannot see the force of this objection. It is true that some 500 miles of ocean travel lie between the northern limits of the United States and the southern boundary of Alaska, but has that gentleman or has this House forgotten that upon our acquisition of California, although the territory was contiguous, so to speak, to our own, yet we were separated from it by the almost impassable barriers of the Rocky Mountains, and that our early emigrants and adventurers sought homes in that new acquisition by way of the Isthmus of Panama, through foreign territory, or else by doubling Cape Horn and incurring the perils of a sea voyage of thousands of miles?

The Senators from Oregon can be thankful that arguments such as that made by Senator Dickerson of New Jersey in 1825 did not prevail:

But is this Territory of Oregon ever to become a State, a member of this Union? Never. The Union is already too extensive, and we must make 3 or 4 new States from the Territories already formed.

The distance from the mouth of the Columbia to the mouth of the Missouri is 3,555 miles; from Washington to the mouth of the Missouri is 1,160 miles, making the whole distance from Washington to the mouth of the Columbia River 4,703 miles, but say 4,650 miles. The distance, therefore, that a Member of Congress of this State of Oregon would be obliged to travel in coming to the seat of government and returning home would be 9,300 miles. This, at the rate of $8 for every 20 miles, would make his traveling expenses amount to $3,720.

Every Member of Congress ought to see his constituents once a year. This is already very difficult for those in the most remote parts of the Union. At the rate which the Members of Congress travel according to law—that is, 20 miles per day—it would require to come to the seat of government from Oregon and return, 465 days; and if he should lie by for Sundays, say 66, it would require 531 days. But if he should travel at the rate of 30 miles per day, it would require 306 days. Allow for Sundays 44, it would amount to 350 days. This would allow the Member a fortnight to rest himself at Washington before he should commence his journey home. This rate of traveling would be a hard duty, as a greater part of the way is exceedingly bad, and a portion of it over rugged mountains, where Lewis and Clark found several feet of snow in the latter part of June. Yet a young, able-bodied Senator might travel from Oregon to Washington and back once a year; but he could do nothing else. It would be more expeditious, however, to come by water around Cape Horn, or to pass through Bering Strait, round the north coast of this continent to Baffins Bay, thence through Davis Strait to the Atlantic, and so on to Washington. It is true this passage is not yet discovered, except upon our maps, but it will be as soon as Oregon shall be a State.

We come to another argument: Do the people of Alaska want statehood? This has been a perennial question, and I might add a good one. The first known tests of statehood are spelled out in the Senate records on the admission of Kentucky, where, on January 7, 1791, it was asserted that it was the "declared will of (the) people to be an independent State" and that the people of Kentucky were "warmly devoted to the American Union."

How have Alaskans declared their feelings? In 1946, by a referendum, Alaskans voted 9,630 to 6,822—approximately 3 to 2—for statehood. In 1956, the Alaskans ratified their constitution, which was a part of the statehood program, by a vote of 17,447 to 8,180, or 2 to 1. If this is not a sufficient expression, the bill before us requires a vote, on a separate ballot, on the question: "Shall Alaska immediately be admitted into the Union as a State?"

Let me set forth some of the votes on constitutions of existing States as they were admitted. Iowans, in 1846, ratified their constitution by a vote of 9,442 to 9,036, a difference of 406 votes; Nebraskans by a vote of 3,998 to 3,898, a difference of 100 votes; Wisconsin voted 16,442 to 6,149; and Arizonians, on their first constitution, 12,187 to 3,822. Certainly no set pattern of votes has been required, and Alaska's 2-to-1 vote seems quite sufficient to me.

There has also been a great discussion about Alaska's population and its sufficiency. The report of the Interior Committee estimated Alaska's population to be 212,500; Time magazine on June 9, 1958, estimated 213,000; some assertions were made in the other body that the population is only 160,000; and I have heard estimates of Alaskans that their population is between 225,000 and 250,000. Of course, we all know Alaskans are somewhat akin to Texans, so we can expect a little variation. When Arizona sought admission Representative Klepper, of Missouri, pointed out similar variations:

The governor's report only claims for Arizona 140,000 people, while Mr. Rodey, ex-Delegate from New Mexico, admits she has 175,000 population, and the last census gives to her 122,931.

Phineas W. Hitchcock, Senator from Nebraska, argued, on February 24, 1875, during consideration of Colorado statehood bill:

There is, I apprehend, and can be but one possible objection and but one possible question to be considered and but one point upon which opposition can be made to the present admission of Colorado. That question is in regard to her present population. Upon that point the Committee on Territories believe from the best information which they were able to obtain that Colorado today contains a population of 150,000. * * * Of course, this must be based to a great extent upon statistics and estimates, as no official and formal census of the Territory has been taken for the last 5 years. The population of the Territory by the census of 1870 was about 40,000.

* * * * *

Twenty-one States have been admitted as States which had at the time of their admission a greater population than Colorado now has, and these Territories were Michigan and Wisconsin, each of them having, I think, a population of about 200,000; Minnesota having a population of about the same amount that Colorado now has, and the others, such States as Illinois and Ohio, having only about one-third the population which Colorado now has.

A rigid percentage of the total United States population has never been a test of statehood, but the sufficiency of the population in each Territory has been inquired into thoroughly. Note, for instance, the comments of Representative Reid, of Arkansas, in 1906 during the debates on statehood for Oklahoma, Arizona, and New Mexico:

Under the ordinance of 1787, which I insist is today an implied contract, in good faith, binding upon the Union, and these people in all these Territories have the right to make its terms in their behalf, 60,000 free inhabitants was all that was necessary. Nothing was said about area, whether small or large, or wealth and resources, whether great or small. But you say the ratio of representation has increased. I deny that this has ever been made the test. Twenty-five States were admitted, beginning with Vermont in 1791 and coming on down to Colorado in 1876, and Maine and Kansas were the only ones that had 100,000 people. From 1836 to 1837 the ratio of representation was 47,700. Arkansas was admitted with 25,000 people, and let me call the attention of the gentleman from Michigan to the fact that his own State came in, and came in as a matter of right, with only 31,000 people.

From 1845 to 1848, when the ratio was 70-600, Florida was admitted with only 28,700, Iowa with 43,000, and Wisconsin with 30,000. In 1858, with a census ratio of 93,500, Minnesota came in with 7,000 and Oregon with 13,200. With a ratio of 127,000, Nebraska came in with 28,800 and Colorado with 39,000.

"But times have changed," is the argument we hear from those who oppose Alaska. Do we want Alaska's population to nullify the will of California's 14 million people, of Illinois' 10 million, of Georgia's 4 million people—that is the query repeated again and again. It is not new. In 1907 Representative Payne, of New York, said:

Gentlemen plead for justice for the people of Arizona. I believe in the greatest good for the greatest number. There are 100,000 people in Arizona, but there are 80 million people in the balance of the United States. I plead for the rights of the 8 million people in the State of New York, represented in the Senate of the United States by 2 Senators, and I am unwilling that the people of Arizona, with her 100,000 people, shall have an equal representation in the United States Senate. * * *

And in 1911, Senator Root, of New York, posed the question in this fashion:

But, sir, Arizona is now a Territory. She has not the right of local self-government. We are engaged in determining the conditions upon which we shall give her that right. We are engaged in determining the conditions upon which that 200,000 people, who at her election cast 16,009 votes upon the adoption of her constitution, shall send to this Senate as many Senators with as great a voice and as effective a vote as the 9 million people of the State of New York, the 7 million people of the State of Pennsylvania, the 5 million people of the State of Illinois, and the 4 million people of the State of Ohio.

In 1906, Representative Adams, of Wisconsin, answered these arguments in this fashion:

What is the basis of the statement of the gentleman from Pennsylvania that in this question there is to be considered on one side the interest of 80 million people and on the other side the interests of less than 200,000 in the Territory of Arizona? * * * Have the people of Arizona any interests that are not common to the people of the United States? Does the gentleman from Pennsylvania expect that in the event Arizona becomes a State her 2 Senators will swoop down upon the 90 other Senators and make a successful assault upon righteous law and just government? * * * Does he imagine that the men who own the hundreds of millions of property now being developed in Arizona through the best forms of American genius and the best examples of American industry, who have built up a civilization there which would be a credit to any State upon the globe, who have the same devotion to the Constitution of the United States and its flag as the people of any other State, will suddenly, upon the admission of Arizona, reverse the principles of their lives and the order of their action and become a menace to the Nation?

Of the 17 States admitted into the Union since Lincoln took office, only 6 had more population than Alaska has today. The others—Arizona, North Dakota, Minnesota, Kansas, Colorado, Montana, Nebraska, Idaho, Wyoming, Oregon, and Nevada—had less population than that of Alaska. Even in terms of percentage of the population at the time when each State was admitted, Alaska qualifies. Secretary Seaton recently stated his position on this matter in no uncertain terms:

Not once, but three times, the Congress of the United States has granted statehood to Territories with no greater percentage of the total population than Alaska now has.

Not once, but 11 times, the Congress of the United States has granted statehood to Territories with no greater actual population than Alaska has now.

Not once, but 17 times, the Congress of the United States has granted senatorial representation to Territories far in excess of what a mere population count would warrant. And remember, the Constitution of the United States expressly negates consideration of population as a measure of senatorial membership.

The Senators and Representatives who thus voted time and again for the entry of new States were not content with the status quo or with a narrow defense of their own States' prerogatives. They were ranging themselves squarely on the side of the future of this country. And their faith in the growth of the United States in the past century has been amply vindicated.

For my own part, Mr. President, I believe this issue was settled in the Constitutional Convention. My State or the State with the smallest population—Nevada has as much right to representation here as do any of the States with larger populations. Those who argue percentage figures in relation to representation in the Senate are arguing with our Founding Fathers; the decision from which they are appealing from was made in 1787.

Mr. CHURCH. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am very happy to yield.

Mr. CHURCH. First, I wish to commend my good friend and colleague, the Senator from Colorado, for making so scholarly an address on the subject of statehood.

I should like to commend him especially for bringing home a point which cannot be overemphasized, namely, the point with respect to the question of population and the right of representation in Congress.

I agree with the Senator from Colorado that the formula governing the representation of States in the Congress was settled at the Constitutional Convention. It was perhaps the most difficult question which confronted the delegates to that convention.

But the formula has worked well for the country for all the years from the time when Washington first took office as President. The constitutional concept is that the Senate is a House of States. It does not matter what may be the comparative populations of the various States. Today they are as different—as between the State of New York and the State of Nevada—as any difference which may be shown to exist between the population of any of the present States and the population of the Territory of Alaska.

Mr. ALLOTT. Mr. President, the Senator from Idaho is entirely correct.

Mr. CHURCH. Does not the Senator from Colorado also agree with me that under the historic formula which is embodied in the Constitution, the people are to be represented by their numbers in the House of Representatives, and by their States in the Senate?

Mr. ALLOTT. That is entirely correct, and I thank the Senator from Idaho for his remarks.

Mr. President, the matters I have been discussing this afternoon tend, I believe, to place the whole question in a position where it can be viewed with complete impartiality.

I am particularly impressed by the question asked in 1906 by Representative Adams, of Wisconsin, when he was discussing the proposed admission of Arizona as a State, namely:

Does the gentleman from Pennsylvania expect that in the event Arizona becomes a State, her 2 Senators will swoop down upon the 90 other Senators and make a successful assault upon righteous law and just government?

I believe that question makes one of the most pertinent points ever made in this field.

Mr. CHURCH. I certainly concur.

I should like to add that I cannot understand the argument that the admission of Alaska to statehood will, somehow, give overrepresentation to the 225,000 persons who now live in Alaska. Would those who make that argument have us believe that overrepresentation is worse than no representation at all?

Today, Alaska has no representation at all. She does not have even one voting delegate in the House of Representatives, she does not have even one Senator on this floor, to vote for Alaska.

Although Alaska is taxed, although the Congress exercises all the prerogatives of government over Alaska, the United States does not grant the people of Alaska any voting representation in the Halls of Congress.

So I am not influenced by the argument that statehood will mean overrepresentation for Alaska. Statehood means representation in accordance with the historic formula which has served our Nation well, under the Constitution of the United States; and the granting of statehood to Alaska will put an end to the entire lack of representation that does violence to the fundamental concepts of democracy.

Mr. President, I wish to congratulate the Senator from Colorado upon the splendid address he is making.

Mr. ALLOTT. I thank the Senator from Idaho.

Mr. President, let me say that I agree that when one thinks about the subject, it is natural to have a reaction against such situations as have been referred to; and an expansion of one's mental horizon is accomplished when the matter is studied and when one realizes that the time has come when no longer can statehood be denied to this great Territory, which, with its abundant natural resources, constitutes a great bulwark for our country. Certainly, the Congress can no longer continue to deny statehood to Alaska.

Mr. President, statehood was predicted for Alaska as early as 1906. In that year Senator Nelson said:

I have no doubt in the years to come, in the years of my grandchildren perhaps, even Alaska will come here asking for admission into the Union, not as a single State, but perhaps as three States. The coastline, the Aleutian Archipelago, and the archipelago along the British boundary, and the south shore, or southern Alaska, as it is called, will no doubt some day come knocking at the doors of Congress for admission as a State; then the great interior of that country, the great Yukon and Tanana and Koyukuk Valleys will come to Congress and ask for admission as a State; and by and by Seward Peninsula, with its 30,000 square miles, with its endless amount of gold-bearing creeks and the country beyond that will be knocking at the doors of Congress. If we who are now in this chamber could look down upon this world of ours 100 years hence I have no doubt that we would find 3 States in this Union from what now constitutes a portion of the Territory of Alaska.

Mr. President, I have quoted freely from past debates. I am certain that many of my distinguished colleagues recall a similar exposition presented to this body by Senator Seaton of Nebraska, on February 20, 1952. Mr. President, I ask that Senator Seaton's speech be included in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. ALLOTT. Mr. President, the Nation's pulse is quickening on this issue of statehood. Every national magazine, it seems, has devoted considerable space to setting forth the issues. Editorials pour into each of our offices daily. The vast majority urge immediate action on the statehood questions. These have raised Alaska's hopes of affirmative action by this Congress on her plea for statehood.

As a distinguished Alaskan recently said: "Alaskans live on hope, and we can afford to, because we have faith in the future."

This was implicit in the feeling expressed by Samuel C. Dunham, in a short verse, part of which was reproduced by Time magazine in its fine article about Alaska's vibrant young Governor, Mike Stepovich:

ALASKA TO UNCLE SAM

Sitting on my greatest glacier
With my feet in Bering Sea
I am thinking, cold and lonely
Of the way you've treated me.
Three-and-thirty years of silence!
Through ten thousand sleepless nights
I've been praying for your coming—
For the dawn of civil rights.

When you took me, young and trusting
From the growling Russian bear,
Loud you swore before the nations
I should have the the Eagle's care.
Never yet has wing of eagle
Cast a shadow on my peaks,
But I've watched the flight of buzzards
And I've felt their busy beaks.

I'm a full-grown, proud souled woman,
And I'm getting tired and sick—
Wearing all the cast-off garments
Of your body politic.
If you'll give me your permission,
I will make some wholesome laws
That will suit my hard conditions
And promote your country's cause.

You will wake a sleeping empire,
Stretching southward from the Pole
To the headlands where the waters
Of your western ocean roll.
Then will rise a mighty people
From the travail of the years,
Whom with pride you'll call your children—
Offspring of my pioneers.

Mr. President, Mr. Dunham composed this verse in 1900, 33 years after the purchase of Alaska. The 33 years of silence has now lengthened to 91 long years. It is appalling to think that this poem, if written today, could read that Alaska has now awaited the fulfillment of our 1867 pledge for 91 years and through more than 33,000 sleepless nights.

Let us give support to Alaska's faith in the future; let us show to the world that America practices what she preaches; and let us again reaffirm the stand taken 35 times before. Each new State has enhanced the position of the Union. As this Nation increases in size, so will the greatness of each State, large or small. In the words of Senator Charles Sumner's address to the Senate in the Fortieth Congress urging ratification of the Treaty of Purchase:

> There are few anywhere who could hear of a considerable accession of territory, obtained peacefully and honestly, without a pride of country. * * * With an increased size on the map there is an increased consciousness of strength and the citizen throbs anew as he traces the extending line.

The same pride of country all Americans will feel, I believe, upon the entry of the State of Alaska into the Union. And, as Senator Sumner said in closing his address, in 1867, for Alaska:

> Your best work and most important endowment will be the republican government, which looking to a long future, you will organize, with school free to all and with equal laws, before which every citizen will stand erect in the consciousness of manhood. Here will be a motive power, without which coal itself will be insufficient. Here will be a source of wealth more inexhaustible than any fisheries. Bestow such a government, and you will bestow what is better than all you can receive whether quintals of fish, sands of gold, choicest fur or most beautiful ivory.

EXHIBIT A

[From the CONGRESSIONAL RECORD, vol. 98, pt. 1, pp. 1194–1198]

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (S. 50) to provide for the admission of Alaska into the Union.

Mr. SEATON. Mr. President, I understand there is a tradition in the Senate that a freshman Senator should be seen but not heard. Because of the fact that I do not expect to be here for a full year, Mr. President, I beg your indulgence to speak today; otherwise I may be forever foreclosed from addressing this body.

Mr. President, the old adage "There is nothing new under the sun" could hardly be truer than in its application to the objections we hear to statehood for Alaska.

The same type of objections were made against practically every Territory which ever applied for admission as a State. Experience has proved the objections false. California, Oregon, Wyoming, Arizona, Nebraska, and the others have gone on to become perfectly respectable and self-sufficient States despite the cries which were raised against them in earlier sessions of Congress. Each is a credit to itself and to the Union.

It is difficult to believe now that, when California's admission was under consideration a little over 100 years ago, Senator Daniel Webster could have said:

"What can we do with a western coast? A coast of 3,000 miles, rockbound, cheerless, uninviting, and not a harbor on it. I will never vote 1 cent from the Public Treasury to place the Pacific Ocean 1 inch nearer Boston than it is now."

I am sure some of the dreadful things we have been hearing about Alaska will be as hard to credit 100 years from now, when she is a prosperous and populous State, as are today the harsh words of the old Senator from Massachusetts.

Let me refer to what happened when my own State of Nebraska was seeking admission into the Union. The case for Alaska today is fully as strong, from the standpoint of population, of prevailing sentiment in favor of statehood, of resources and of record of accomplishment under a Territorial status, as was that of Nebraska when she was seeking admission.

A bill to enable the people of Nebraska to form a constitution and State government, and for the admission of such State into the Union, was introduced in the House of Representatives early in the first session of the 38th Congress in 1864.

When the bill was reported by the House Committee on Territories, Representative Cox moved an amendment which read:

"*Provided*, That the said Territory shall not be admitted as a State until Congress shall be satisfied by a census taken under authority of law that the population of said Territory shall be equal to that required as the ratio of one Member of Congress under the present apportionment."

The amendment was defeated on a yea and nay vote by 72 to 43, and the bill was then passed by a voice vote.

In the Senate, the bill was sponsored by Senator Wade, of Ohio, chairman of the Committee on Territories. Senator Trumbull, of Illinois, raised the question that there were not enough people to justify statehood, stating that he was informed the population was between 20,000 and 30,000, and adding: "The number of inhabitants necessary to send a Representative to the Congress of the United States is about 125,000." Senator Davis said it was 127,000, and added that the population of Nebraska at that time was twenty-eight thousand and a fraction.

Senator Foster, of Connecticut, also objected to the bill saying:

"If 25,000 people in that far-off region are desirous of paying the expenses and bearing the burden of a State government, it seems to me wonderful. I should like very much to know how many of the population of that Territory have asked to be made a State. For one, I should not wish to impose upon them the burden of a State government without their asking for it. It will make taxation very heavy to sustain a State government there."

To these objections Senator Wade replied:

"The first objection of the Senator from Illinois is that the population of Nebraska is not sufficient; that there ought to be population enough there for a representation in the House of Representatives. That has never been the rule in the organization of these Territories. I hardly know of one that has been admitted that had population enough at the time of admission to demand a representation in the House of Representatives under the apportionment. Some of them may have had sufficient population but they were very few. Why, sir, Florida existed as a State for a great many years before it had sufficient population to entitle it to representation. * * * You may take Florida, Arkansas, and Texas, and not one of them had the population requisite to entitle a State to a Representative. Texas had two Representatives assigned to her when she had nothing like population enough to entitle her to one.

"The next objection is that we are about to impose a State government on a people against their will. I should be as much opposed to that, sir, as the gentleman from Connecticut. He demands of me to know whether it is the wish of the people to be enabled to form a State government. That is the purpose of this bill. It is only to enable the people there, if they see fit, to meet in convention and determine either to have a State government or not."

Adverting to another objection by Senator Foster, Senator Wade continued:

"The Senator is afraid that we shall burden them with the expenses of carrying on a State government. I do not believe they would thank the gentleman for that kind advice. I have no doubt they are able to take care of their own concerns; they are intelligent; they do not want any counsel on that subject from without. If they do not want a State government they are not obliged to have it. The bill only enables them to have it if they want it. Then that objection falls to the ground."

It is interesting to note that the above-quoted remarks on population were the only ones in the Senate debate. The bill came up on April 12, 1864, and was passed by a voice vote.

When the constitutional convention had been held, a bill to admit Nebraska was introduced in the next Congress. It came up in the Senate in July 1866. In response to Senator Sumner's question as to the size of the population, Senator Wade replied:

"I am assured by gentlemen who have been there and know all about it that the population cannot now be less than 60,000."

He added:

"The Territory is settling up with unprecedented rapidity; settlers are going in there very fast, as I am informed and believe. * * * I do not suppose that any extended argument need be made on this subject, because * * * when the people think themselves capable of carrying on a State government, when they feel that they would like to have the control of their own affairs in their own

hands; it has been the policy of the Government to grant them that privilege * * * and certainly when the intelligent people of the United States residing in a Territory anywhere have deliberately made up their minds that they are wealthy enough and numerous enough to set up for themselves, their decision ought to be respected."

Senator Johnson, of Maryland, asked what was the majority in the State that voted for the constitution; and to that question Senator Wade replied: "About 150, I think."

Senator Sumner then said:

"The Senator from Ohio tells us that the majority of the people in favor of the State government was about 150. Sir, it is by such a slender, slim majority out of 8,000 voters that you are now called to invest this Territory with the powers and prerogatives of a State."

Actually, Senator Wade had overstated even this small majority; for subsequently in the debate appears the official certificate of the election from Gov. Alvin Saunders, of the Territory of Nebraska, saying that at the election authorizing the people to vote for or against the adoption of a State constitution for Nebraska, the vote for the constitution was 3,938 and the vote against was 3,838—a majority of 100 votes in favor of the constitution, out of a total vote of 7,776.

Senator Sumner continued:

"I think the smallness of that majority is an argument against any action on your part; but if you go behind that small majority and look at the number of voters, it seems to me that the argument still increases, for the Senator tells us there were but 8,000 voters.

"Sir, the question is, Will you invest these 8,000 voters with the same powers and prerogatives in this Chamber which are now enjoyed by New York and Pennsylvania and other States of this Union? I think the argument on that head is unanswerable. It would be unreasonable for you to invest them with those powers and prerogatives at this time."

It is interesting to note that the subsequent debate brought out the fact that two companies of soldiers from Iowa, who were not eligible to vote, had voted, and that there was much discussion of the fact that the total vote was small and the margin by which the constitution had been voted infinitesimal; that it was beclouded by charges of illegal voting.

Senator Cowan, of Pennsylvania, speaking in opposition, said:

"There are fewer people in the State of Nebraska today than there are in the county which I inhabit in Pennsylvania. Is it fair that their Senators, representing some 60,000 or 70,000 people, shall weigh as much as the three and a half millions of Pennsylvanians do?"

Senator Hendricks, of Indiana, likewise was opposed on the ground that the denial of the suffrage to colored men was a violation of the act to provide a republican form of government, and that the 100-vote margin by which the constitution was accepted was tainted with fraud. He declared his complete opposition to the proposal for Nebraska statehood.

Thereupon, Senator Brown, of Missouri, proposed an amendment that the act to admit Nebraska could not take effect until there had been held in Nebraska an election at which the voters could express their assent or dissent from the proposition to deny the franchise by reason of race or color.

Several other amendments having as their objectives the elimination of discrimination against color in the Nebraska constitution were proposed, but all of them were defeated.

Finally an amendment was presented by Senator Edmunds, of Vermont. It read as follows:

"And be it further enacted, That this act shall take effect with the fundamental and perpetuate condition that, within said State of Nebraska there shall be no abridgement, or denial, of the exercise of the elective franchise, or of any other right to any person by reason of race or color, excepting Indians not taxed."

The amendment was first defeated by a tie vote of 18 to 18, with 16 absent; but later the amendment was brought up again, and was adopted by a vote of 20 to 18.

Meanwhile, there had come to the Senate reports from members of the legislature that the constitution, instead of being adopted by a majority of 100 votes, had in fact been rejected by 48 votes.

Senator Buckalew further charged that an Indian agent who had been in the State only 4 months not only had voted himself, but had cast the illegal votes of 18 half-breed Indians under his control. He pointed out that 6 months' residence was required and that Indians were also not qualified electors.

These frauds, he pointed out, were on top of the illegal voting of the Iowa soldiers previously referred to, of whom 134 had voted for the constitution and 24 against; and he said they were disqualified not only on the ground of being nonresidents but also because the organic act of the Nebraska Territory provided that "no soldier shall be allowed to vote in said Territory by reason of being in service therein."

The bill nevertheless passed the Senate by a vote of 24 to 15.

The reasons for this favorable Senate verdict, despite the smallness of the Nebraska vote in favor of the constitution, despite the smallness of the total population, despite the cloud which hung over the verdict because of alleged frauds, and despite the issue that had been raised over the discriminations against people because of their color, may be found in the arguments of a number of Senators who pushed the case against the condition of territoriality, as follows:

Senator Howard, of Michigan, said:

"I hope that the condition of vassalage, that inconvenient territorial condition, of which every man who has resided in a Territory any length of time will have seen great reason to complain, will now be removed, and that this intelligent, this enterprising community of pioneers will be relieved from these inconveniences and admitted to a full and complete fellowship as one of the sister States of the Union. I dislike territorial government; it is the most degrading, it is the most inconvenient, and it is the most corrupting and embarrassing of all governments upon the face of the earth."

Much the same thought was expressed in the debate by Senator Sherman, of Ohio, who said:

"I know very well that a Territorial government in a rapidly growing community like Nebraska is a great burden, irritating constantly. Their governor is appointed by the President. He may not have any sympathy with them, although I believe as to the Governor of Nebraska, he is in hearty sympathy with the people there; but he may not be. * * * He is their governor by no vote or voice of theirs. This state of affairs is always unpleasant to a people. They like to have the choice of their own governor. * * * Their judges are appointed by the President. * * * The people of the Territory elect only the legislative government. They have not their benefit of the share of public lands.

"Is there any reason why we should continue these people under this kind of pupilage; why, we should keep them under this kind of burden, unpleasant, irritating, depending upon the President of the United States for their executive authority, upon judges appointed by him for the administration of their laws, without any opportunity to improve their Territory? Is it right, or just, that for any slight reason we should keep them in that condition? It is always the case that these new communities rapidly seek to get out of the state of pupilage or Territorial state into the government of their own affairs. It is natural that they should do so. It seems to me that this Territory has now within itself all the elements necessary to enable its people to assume their own government. They have a hardy population; they have every advantage that we have. Why not, therefore, let them enter into the race of progress? Until this Territory is admitted as a State they cannot progress rapidly, no encouragement can be held out to them. * * *

"Mr. President, is it not the interest of the United States to form as soon as possible all these infant Territories into States? What object can the United States have in holding any portion of the territory of the United States in a condition where it must be governed by executive laws or executive influence? None whatever."

Senator Sherman concluded.

These moving arguments are what persuaded the Senate to vote to admit Nebraska. The House, however, did not concur in the amendment of Senator Edmunds, but proposed a substitute which would leave the question of discrimination against colored people to a future action of the State legislature. The Senate agreed to the amendment.

Nebraska was now admitted to statehood, subject to the approval of the President. However, President Johnson vetoed the bill.

He vetoed it on the ground, he wrote, that Congress had no right to prescribe the conditions of franchise to a State, and that the matter of acceptance of Congress' terms should be left to the people, rather than to the legislature. As a further reason for veto, he stated that the majority of 100 in a total vote of 7,776 could not, "in consequence of frauds" alleged, "be received as a fair expression of the wishes of the people."

President Johnson's unpopularity caused his veto to be overridden by a vote much greater than that by which the bill had passed, namely, 31 to 9 in the Senate and 120 to 43 in the House.

Mr. President, it was under these inauspicious circumstances that my own State entered the Union. That the circumstances were not unique, and that they certainly are not unique to Alaska, can be demonstrated by referring to what happened in the case of Oregon, now one of our most favorably known States.

When the bill to admit Oregon came up for a second time on May 5, 1858, the Congress having previously passed a bill for an enabling act to authorize the people of Oregon Territory to form a constitutional government, Senator William H. Seward, of New York, spoke as follows:

"They are 2,000 miles from the center. It is not a good thing to retain provinces or colonies in dependence on the Central Government and in an inferior condition a day or an hour beyond the time when they are capable of self-government. The longer the process of pupilage, the greater is the effect which Federal patronage and Federal influence has upon the people of such a community. I believe the people of Oregon are as well prepared to govern themselves as any people of any new State which can come into the Union.

"I do not think the matter of numbers is of importance here. The numbers are estimated at 80,000. The present ratio of representation is 93,420, * * * but I shall never consent to establish for my own government any arbitrary rule with regard to the number of population of a State. I can imagine States which I would not admit with a million of people, and I can imagine those which I would admit with 50,000. * * * I shall vote for the bill."

Subsequently in the debate, Senator Douglas, of Illinois, discussing the question of population, had this to say:

"Now, one word as to population. I do not think there are 93,423 people in Oregon—the number required, according to the existing ratio, for a Member of Congress. I think it ought to be a general rule for the admission of States to require that number. * * * I brought in this year such a proposition with a view to apply it to all Territories. I was willing to apply it to Kansas now, and to Oregon, if we applied it to Kansas. * * * But, sir, here are two inchoate States which have proceeded to make a constitution and take the preliminary steps for admission into the Union. You have agreed to receive one with less than the population required, and it has the smaller population of the two. Now, the question is, Shall we, after having agreed to admit Kansas with—say 40,000—refuse to admit Oregon with 55,000, as I think she has, or with 80,000, as her delegate estimates? I think it is a discrimination that we ought not to make."

Senator Mason, of Virginia, said this:

"Well, where are we to stand if States are to be admitted into this Union without reference to this population. Each State must of necessity have one Representative, at least, in the other House, and two here. You then have a vote of 3 in the joint legislation of the country against the half of 1 vote in 1 of the States which is properly entitled by its population to representation in the 2 Houses. It is unfair, unequal, and unjust; it is destroying the equilibrium of our institution."

However, Senator Green, of Missouri, a member of the committee which reported the bill, took issue with Senator Mason. He said:

"Is Oregon to come in as a sister in this Republic? She fancies herself capable of sustaining a State government. We see, by clear, moral evidence, satisfactory to anyone who will investigate the subject, that she has at this time about 80,000 inhabitants. We see a train of circumstances directing population to that Territory. We have a reasonable ground of expectation that even before next December there will be more than 100,000 people there. Why, then, should Oregon be kept out of the Union? By the admission of her as a State, we save the Federal Government from all the expenses of maintaining her Territorial organization. If she is willing to take upon herself the organic form of a State, and bear the burdens of a State, why not allow her to do so? Consider her great distance from you, and the uncertainty of communication. Is it to be a mere dependency of the Federal Government? Must it always look to the Federal head, and that Federal head more than 2,500 miles distant? * * * I believe it to be good policy for the Federal Government, and I believe it will be to the advantage and development, and growth and increase of Oregon as a State. While they feel dependent they do not exert themselves. It is a constant tax on the Federal Government to pay for governors, legislative councils, legislative assemblies, courts of justice, grand juries, and prosecuting attorneys. Why not save ourselves from all that expense, when we know it does not endanger the existence of the State to acknowledge her independence?"

It seems to me that those words are very prophetic today.

The final speech on the bill was, again, by Senator Seward of New York, who, later as Secretary of State, was instrumental in bringing Alaska under the American flag. In his final argument, which was peculiarly pertinent to the admission of the Territory of Alaska into the Union as a State, he said:

"In coming to this conclusion (to support the admission of Oregon as a State), I am determined by the fact, that, geographically and politically, the region of country which is occupied by the present Territory of Oregon is indispensable to the completion and rounding off of this Republic. Every man sees it, and every man knows it. * * * There is no Member of the Senate or of the House of Representatives, and, probably, no man in the United States who would be willing to see it lopped off, fall into the Pacific or into the possession of Russia or under the control of any other power; but every man, woman, and child knows that it is just as essential to the completion of this Republic as is the State of New York, or as is the State of Louisiana, on the Mississippi. It cost us too much to get it, we have nursed and cherished it too long, not to know and feel that it is an essential part. * * *

"Well, then, she is to be admitted at some time, and inasmuch as she is to be admitted at all events, and is to be admitted at some time, it is only a question of time whether you will admit her today, or admit her 6 months hence, or admit her a year or 7 years hence. What objection is there to her being admitted now? You say she has not 100,000 people. What of that? She will have 100,000 people in a very short time. * * *

"For one, sir, I think that the sooner a Territory emerges from its provincial condition the better; the sooner the people are left to manage their own affairs, and are admitted to participation in the responsibilities of this Government, the stronger and the more vigorous the States which those people form will be. I trust, therefore, that the question will be taken, and that the State may be admitted without further delay."

The vote being taken, Oregon, although lacking the requisite population, was admitted by a vote of 35 to 17.

There is yet another case I should like to mention. In Wyoming, the State so ably represented here in part by the distinguished Senator who is chairman of the committee which reported the Alaska statehood bill, the situation was similar.

The 50th Congress in 1889 failed to act on the Senate bill to provide admission of Wyoming as a State, although the bill had been favorably reported by the Senate Committee on Territories. However, a majority of the boards of county commissioners in Wyoming had petitioned the Governor of the Territory to issue a proclamation for a constitutional convention, such as had been contemplated in the Senate bill.

The Territorial Governor of Wyoming thereupon issued the proclamation, calling for a constitutional convention for the purpose of framing a constitution and forming a State government preparatory to admission. The convention met and framed a constitution, which was submitted to a vote of the people of the Territory and which was adopted by a vote of 6,272 for, 1,923 against; the total number of votes being 8,195.

And here I quote from the memorial of the State constitutional convention of the Territory of Wyoming, praying the admission of that Territory as a State into the Union, which began:

"The people of Wyoming, prompted thereto by a consideration of the great importance of an early escape from the Territorial condition and of the rights which pertain to American citizens."

Discussing briefly the grounds upon which the admission may be urged as a right, the memorial then stated:

"It may be declared a settled principle of the Government that territory acquired by the United States is, in the language of Chief Justice Taney, 'acquired to become a State, and not to be held as a colony and governed by Congress by absolute authority'; that 'Territorial governments are organized as matters of necessity, because the people are too few in number and scant in resources to maintain a State government,' but 'are contrary to the spirit of our American Constitution,' and 'are to be tolerated and continued only so long as that necessity exists.'"

Senator Vest, of Missouri, spoke in opposition to Wyoming's plea for statehood, as follows:

"If the question of admitting a State into the Union affected only and exclusively the population of that State, this conduct on the part of Congress might be to some extent excusable; there might be some palliation for the utter indifference with which such matters are now considered. But there is a dual aspect of this question. The admission of a State into the Union affects the rights of the people of every State in the Union alike. The admission of a State here without the requisite population, a reasonable population within the judgment of Congress, directly and absolutely affects the interests of the people in all the States."

Senator Vest was answered by the Senator from Connecticut, Mr. Platt:

"I want to take up the objections which have seemed to be prominently urged by the Senator from Missouri. He says that two Senators ought not to come here upon this floor from a sparsely settled State with a population which is 151,912, and have the same influence in this body and the same number of votes that the State of Missouri has. What he says about that applies as well to the State of Connecticut as to the State of Missouri, and I say as a representative of the State of Connecticut that I have no prejudice and no objection to 2 Senators from a new State, if that State is fairly entitled to admission into the Union, coming here and having just as many votes upon this floor as the 2 Senators from Connecticut, that is older and has a larger population.

"It applies to the State of New York as well as it does to the State of Rhode Island or to the State of Missouri or the State of Connecticut. It might be said that New York, with its 5 million people or more, ought to have more representatives upon this floor than the State of Oregon, with three or four hundred thousand, or the State of Missouri, with its million, more or less—I do not speak by the book. But such has not been the theory of the Constitution of our Government. It was not the theory of the fathers, of the framers of the Constitution. They did not apportion the Senators who should occupy seats in this body according to the population of the States which they represented. The disproportion and disparity existed at the formation of the Constitution. It was never intended that there should be popular representation upon this floor; but it was intended that two Senators should represent each State. If that is so, and it be admitted that, under the general policy of this country and the conditions and circumstances under which other States have been admitted, Wyoming is to be admitted here as a State, then as a State she is entitled to 2 Senators upon this floor, as much as Florida is entitled to 2 Senators or Rhode Island is entitled to 2 Senators or Montana is entitled to 2 Senators, when New York and Pennsylvania and Ohio and Missouri and all those States have vastly more population.

"That argument falls to the ground the moment Wyoming presents herself within the conditions and circumstances which have hitherto been supposed to justify the admission of Territories into the Union as States; and I say, and the facts given in the report which has been read here show, that if a comparison were made between the resources, the population, the wealth, the character, the stability, the prospects of future growth of Wyoming and the other Territories that have been admitted as States it will be found that Wyoming does not fall below them in any respect, except in this one respect of population required by law for one Representative

at that time, and those States are Florida, Oregon, Kansas, Nevada, Nebraska, and Colorado. Up to the admission of the four States at the last Congress, Oregon, Kansas, Nevada, Nebraska, and Colorado were the States last admitted, in the order named, and no one of them had at the time of admission an estimated population equal to the then unit representation. Other States have been admitted when the population was barely equal to the unit of representation. * * * The character of the people has been deemed to be of immensely more consequence than the question whether it possessed just exactly the number, or a number exceeding the unit of representation. * * *

"But there is another consideration, and that is whether in the immediate future there is prospect that the population will be great enough so that the unit representation will be observed. Look at Wyoming. With perhaps a slow growth at first, her population is now most rapidly increasing. * * * This idea that we must wait before citizens of these Territories, as good as the men who occupy seats upon this floor, as well qualified to exercise and discharge all the duties of citizenship as the citizens of Missouri, or New York, or Texas, or Connecticut, or Vermont; that we must wait until they get the exact number, 151,912, and have it proved to a mathematical demonstration that they have it before the Territory can be admitted, is a claim which I think ought to find no support in this Senate. It never has found support here hitherto."

Arizona's entry into the Union was accomplished recently enough that an eyewitness account of the objections to her statehood was given a few years ago by the late Sidney Osborn, a member of the constitutional convention who lived to be Governor of that State. Speaking of the early days and the cry which was raised against Arizona, Governor Osborn said:

"Arizona's resources, although developed only to a minor extent, were real; but its public revenue was altogether unequal to the building of roads, to securing the various things the desire for which moved the Territory's people to seek self-government.

"No great perspicacity was required to discover that the reason for this lack of public funds was inherent in the Territorial revenue system. Taxes were, as a matter of fact, quite low—a condition, other things being equal, usually deemed to be highly desirable—but these other things, such for instance as taxes, were not equal. The reason was that by means of defective laws relating to the subject, corporate property—meaning specifically the property of mining, railroad, express, telegraph and telephone, and private car-line companies—constituting by far the Territory's major wealth, was assessed on a basis representing only an insignificant fraction of its value. * * *

"When victory finally came to the forces which for so long had been struggling for statehood—and it is pertinent to mention that internal opposition to this movement centered to a large extent in the interests responsible for the prevailing unequal and inadequate taxation—the problem described was attacked.

"A few figures will serve to illustrate the result. In 1911, the year immediately preceding statehood, all property in the Territory was valued at less than $100 million. Mining property comprised 19.3 percent of the total, and railroad property 19.1 percent. In 1914, when the State's new tax system became fairly operative, the assessed valuation was $407 million, of which 36 percent was mining property, and 22.14 percent railroad property, a readjustment rendered still more conspicuous by fairly adequate assessments of the property of express companies, private car lines, and telephone and telegraph companies. The Territorial levy of 90 cents on each $100 valuation in 1911 was reduced in 1914 to 44½ cents, and there was a proportionate reduction in county levies, while the total revenue of $881,000 for Territorial purposes in 1911 grew to $1,806,000 in 1914. * * *

"The arguments against statehood, which were used in Arizona, were insufficiency of population, and prohibitive cost of supporting government. Subsequent events demonstrated that the arguments had no merit at all. It is well understood at the time they were advanced that opposition to statehood within Arizona was confined to industrialists who desired the status quo, and to a few politicians whose views were formed in Washington."

Note what was said of Arizona:

"The arguments against statehood * * * were insufficiency of population, and prohibitive cost of supporting government."

Those arguments have a strange familiar ring as we talk about statehood for Alaska today. They are no more valid of Alaska than they were of the States against which they were earlier raised.

Alaska is as deserving of statehood, and as ready for statehood, and as greatly in need of statehood, to come into her own, as were any of the present States when it was their turn before the bar of the Senate. Let us deal with the American citizens in Alaska no less generously in this matter than were our forebears dealt with in their respective Territories. Alaska, like all the other States, will keep the faith and carry on the grand old United States tradition.

Mr. President, we have heard much from those who oppose statehood for Alaska, and I doubt neither the sincerity nor the patriotism of those distinguished Members of this great body. But I cannot, in good conscience, join with them in opposition to Alaska's plea for statehood, or even in counseling further delay. Alaska, through more than 80 years as a Territory, has long since served her apprenticeship. As an organized Territory—as an inchoate State—Alaska's star has for too long been denied its rightful place on the glorious flag of the United States of America.

Mr. MCFARLAND. Mr. President, will the Senator from Nebraska yield?

Mr. SEATON. I yield to the distinguished Senator from Arizona.

Mr. MCFARLAND. I wish to compliment the distinguished Senator from Nebraska upon his excellent address. It is very informative, and I am happy that he has given the Senate the benefit of his views. I wish to ask the distinguished Senator if he believes that Alaska will develop as rapidly as a Territory as it would as a State.

Mr. SEATON. I do not believe there is any possibility of its developing as rapidly as a Territory as it would as a State.

Mr. MCFARLAND. In other words, the Senator from Nebraska is of the opinion that more people would go to Alaska and develop it if it were a State than would be willing to go there and cast their lot with those already there if Alaska remained a Territory. They would want the full privileges of citizens of the United States, including the right to vote and govern themselves.

Mr. SEATON. I think the conclusion of the Senator from Arizona is a very logical one, because that has been the experience when other Territories subsequently became States.

Mr. MCFARLAND. Does not the Senator feel that the question is whether there exists in Alaska the natural resources necessary to support the population, and which, if developed, would also support the government?

Mr. SEATON. Yes; I think that is correct.

Mr. MCFARLAND. I thank the distinguished Senator from Nebraska, and I wish to say again that I am happy he has made such a forceful address and reviewed the debates when in earlier days other Territories sought admission to the Union.

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Wyoming?

Mr. SEATON. It is a pleasure to yield to the distinguished Senator from Wyoming.

Mr. O'MAHONEY. I merely wish to remark that I count myself fortunate to have had the opportunity of listening to the splendid address on statehood for Alaska which the junior Senator from Nebraska has just made. He has revealed a very broad knowledge of all the facts which surround the problem, and has presented them in a logical manner which, it seems to me, should convince any open mind that statehood should be granted.

I was particularly pleased to hear the Senator's reference to the fact that, in his opinion, statehood will be a stimulus to population, and that the argument that the people of Alaska should wait for statehood until they have increased their population is a false argument which falls of its own weight. The population of every State which has been admitted to the Union has increased after statehood.

Mr. SEATON. That is correct.

Mr. O'MAHONEY. Population does not increase at a rapid rate before statehood. To say that a Territory must have sufficient population before it may attain statehood is to deny to the present inhabitants of a Territory, and to those who would like to go there if it were a State, the opportunity of attaining statehood.

If ever there was a time when the door should be opened to local development, to local industry, and to local mining, now is the time. The records which are before the Senate are clear that the vast mineral resources of Alaska can best be opened by granting statehood. We all know that the people and the industries of the United States need a much greater supply of minerals from United States Territory than is now available.

It has been correctly pointed out that in the first 50 years of this century the consumption of minerals in the United States, exclusive of petroleum, increased fourfold. When petroleum is included, the increase was fivefold.

Alaska is a Territory which is rich in undeveloped mineral resources. The granting of statehood, with the opening of the door of opportunity to people who desire to seek opportunity, will mean the unlocking of this vast storehouse of mineral wealth.

I am happy that the junior Senator from Nebraska has made the argument so clear.

Mr. SEATON. I join heartily in the remarks of the Senator from Wyoming as to the advantages to flow from granting statehood to Alaska. I should also like at this time to express my thanks, both to the majority leader and the Senator from Wyoming, for their gracious comments.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. ALLOTT. I am very happy to yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, the distinguished Senator from Colorado has delivered one of the outstanding addresses in connection with the consideration of statehood for Alaska. It was an eloquent address. It was filled with facts. It was filled with that something which is responsible, I believe, for the growth of the American Union. It envisions the future. It was a pleasure for me to hear the Senator, and I know that his address will be quoted in years to come by those who treasure the history of the growth of this Union.

It was my privilege to visit Alaska in 1953, representing the Committee on Public Works and the Committee on

Armed Services. I spent a few very busy days in Alaska, seeing a great deal of the installations our Government has there. I met a great many persons. I saw something of the energy with which they are devoting themselves to the development of what is now a Territory and what we hope soon will be a State. I was impressed by the spirit of the people.

They have the spirit of the people who have advanced our frontiers in American history from the very outset. They are the kind of people who made Colorado. They are the kind of people who discovered gold in the Black Hills of South Dakota and who helped to open up a territory there. When I was in Fairbanks, I could imagine the town of Deadwood, S. Dak., almost half a century ago. When I was in Anchorage I felt I was in a community which had all the spirit and drive of a city such as Denver, Colo., or Sheridan, Wyo., or Billings, Mont. One feels a kinship and somehow feels the same kind of spirit when he goes into the Western States.

I was impressed by what I saw in the Kenai Peninsula, which I think some day will be an important agricultural area. When I was in Kodiak I was impressed by the climate and its possibilities. When I was in the Ketchikan area and in Juneau I found the same kind of spirit. Although I had been informed about the salubrious climate there, I was surprised to find such good year-around climate in places like Juneau and Ketchikan.

In addition to what one sees and feels there, I should like to say the resources of the Territory, which are yet untapped and which have not really been surveyed in great detail, offer, as has been so well expressed, a hope for the greater growth and development of the United States as a whole.

One cannot see the magnificent scenery of Alaska, one cannot see the glaciers, one cannot see the great mountain peaks, and one cannot see the vast forests without realizing there are resources in Alaska which certainly are not understood or realized by many persons in the States who have not had an opportunity to visit there.

So I congratulate the Senator from Colorado for taking the active part which he has taken in forwarding the bill, and I am glad I can add these few words in commendation of what he has done.

Mr. ALLOTT. I thank the Senator. Although the Senator from South Dakota could not be called a man of more than middle age, I am sure in his own youth he saw his own section of the country and his own State develop, as I have seen in my lifetime my own State develop. Those of us who have seen areas develop, and who have seen Territories like Alaska, cannot help but have their imaginations stimulated. The development of Alaska will probably surpass even the wildest imagination which we have had in regard to it up to this time. I thank the Senator for his kind remarks.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the Senator from Idaho.

Mr. CHURCH. As a fellow member of the Committee on Interior and Insular Affairs, I wish to join with the Senator from South Dakota in expressing my gratitude to the Senator from Colorado for his learned and moving address on the subject of Alaskan statehood.

The Senator from Colorado struck a note in the closing paragraphs of his address which ought to be given much attention in our deliberations on this issue. He spoke of the pride in country that is involved as we consider extending the American Union to the Territory of Alaska.

In the 19th century, as our country spread from the narrow tier of States along the Atlantic shores, across the Alleghenies, and then westward across the prairies to the great mountains of the Rockies, and finally to the coasts of the Pacific, so that our Nation at last came to bridge a mighty continent, there was a feeling of manifest destiny in America, and there was a tremendous pride in the growth and expansion of our country.

I think the same feeling and the same pride is to be found in the extension of the boundaries of the Union to embrace Alaska as our 49th State.

There are those who object to the admission of Alaska as a State on the ground that we ought not to include within the Union any noncontiguous area. They tell us that ours is a finished country. I do not believe it.

We are told that ours is a completed Union. I do not believe it. So long as there are hundreds of thousands of American citizens in our two incorporated Territories, which, by all the historic and legal precedents qualify for statehood, our Union cannot be complete and our story has not been finished.

The step which we take in making the Territory of Alaska our 49th State is a step in the finest tradition of our Nation and involves not only a refusal to believe that this is a completed Union and a finished country but also an ingredient of the same pride—the same feeling of manifest destiny—which characterized the history of this country in the period of its most vigorous development and growth, the 19th century.

Let me once again commend the Senator from Colorado for his splendid address. I thank the Senator for the contribution he has made to this historic debate.

Mr. ALLOTT. I thank the Senator for his kind remarks. The Senator from Idaho expresses more eloquently than I can the idea I was trying to convey about the completeness of our Union. Rather than feeling averse or resentful, it seems to me we would acquire not simply a few hundred thousand acres of land, but actually greater strength, greater unity, greater patriotism, and greater everything, by giving the people of Alaska what we have really promised them during all the years.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the Senator from Oregon.

Mr. NEUBERGER. I concur in the favorable comments made by the distinguished Senator from Idaho about the able address delivered by the Senator from Colorado on behalf of Alaskan statehood. I think all of us who come from the Western States have a particular stake in the issue. It seems to me virtually every argument voiced against statehood for Alaska could have been voiced—and perhaps indeed was voiced—against statehood for such present States as Colorado, Idaho, and Oregon. Certainly, those States, when admitted to the Union, were not wholly contiguous to the area which was made up of fully qualified States. Certainly we were lacking somewhat at that time in a fully developed and fully integrated culture and civilization. Indeed, a long journey from the more settled and more established portions of the United States was necessary by comparatively primitive methods of travel to reach Colorado, Idaho, or Oregon at the time of their statehood.

There is one further argument for statehood which I have not heard, but, of course, it may have been uttered during the course of the debate when I was not present in the Chamber. I think to some degree statehood for Alaska might strengthen our ties with our closest neighbor and most intimate ally, Canada. As Canada is not only the country with the longest unfortified frontier in the world, but a country which, through British Columbia, separates one integral part of the United States from another, the admission of Alaska as a State might add, if that is possible, to the intimacy of our ties with the great Dominion to the north.

I can see very few arguments against statehood, and many arguments for statehood. I want to again express my compliments to the Senator from Colorado for the very able and effective manner in which he has contributed to this thoroughly meritorious cause in the Senate today.

Mr. ALLOTT. I thank the Senator. I agree with the Senator wholeheartedly. While that question has not been discussed, every element lies on the side that statehood for Alaska will strengthen our ties and friendship with Canada rather than anything to the contrary.

Mr. NEUBERGER. I thank the Senator.

Mr. CHURCH obtained the floor.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Will the Senator from Idaho yield so that the Chair may suggest the absence of a quorum?

Mr. CHURCH. I yield for that purpose, Mr. President.

The PRESIDING OFFICER. The Chair suggests the absence of a quorum, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, I have previously set forth on this floor, at considerable length, my views on Alaskan statehood. I do not wish to take unnecessary time to engage in useless repetition of those views today. Convincing presentations have already been made

here by fellow members of the Interior and Insular Affairs Committee, relating to the fiscal capacity of Alaska to support statehood, and detailed explanations have been given of the land grants to be made to the State of Alaska under the provisions of the pending bill.

I should like to address myself—and confine my remarks entirely—to the question of our legal responsibility to grant statehood to the people of Alaska. That responsibility finds its origin in the very terms of the treaty through which the United States acquired Alaska nearly a century ago. In that treaty, our Government solemnly pledged that the inhabitants of the Territory—

shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty.

There is no question, Mr. President, as to the meaning of that provision in the treaty of acquisition.

There is no other way to interpret this language except in the context of our whole national tradition. From the beginning, lands acquired by the United States and subsequently established as incorporated Territories have always been destined for statehood. Alaska has been an incorporated Territory for nearly 90 years. It has served the longest apprenticeship for statehood in our history. This is the legal basis of our obligation to grant statehood to Alaska.

The framers of our Constitution gave to us the power to admit new States into the Union. The Congress, beginning even before the ratification of the Constitution, provided the legislative cornerstone for the admission of new States, by providing for incorporation of the Northwest Territory as Territories in the Federal Union.

The Supreme Court has long recognized that an incorporated Territory is an inchoate State the ultimate destiny of which is statehood, and in the case of *Rassmussen* v. *U. S.* (197 U. S. 516 (1905)), recognized that Alaska had long been an incorporated Territory.

Those who warn against Alaskan statehood by asserting that it will pave the way for the admission to statehood of Guam, American Samoa, Midway, the Virgin Islands, or the Commonwealth of Puerto Rico, forget that these possessions are not incorporated Territories, and thus lack legal status for statehood. In no sense would Alaskan statehood open the floodgates. It is one of the two remaining incorporated Territories that qualify, by legal precedent, for statehood in the American Union.

The Constitution of the United States itself does not specify what conditions must be met before an incorporated Territory should be admitted to statehood. Article IV, section 3, states simply:

New States may be admitted by the Congress into this Union.

The precedents make clear, however, that once an area has been incorporated, the only question which remains for determination is when it is to be advanced from the provisional status of a Territory to the permanent status of a State. The question whether it is to be admitted into the Union as a State is settled upon incorporation. In Alaska's case, it was settled many years ago.

To determine when an incorporated Territory should be admitted to statehood, Congress has, by precedent and practice, applied three historic tests. These tests have been, first, that the inhabitants of the proposed new State are imbued with, and are sympathetic toward, the principles of democracy as exemplified in the American form of government; second, that a majority of the electorate desire statehood; and, third, that the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

It can hardly be doubted that the people of Alaska have satisfied the first of these requirements. Alaskan institutions, homes, schools, laws, and people are as typically American as in any State of the Union. The patriotism of Alaskans and their loyalty to their country have been indelibly written in the blood of battle by Alaskans who wore our uniform and fought in our ranks through two World Wars. Alaska was the only part of the American continent invaded by the Japanese; and wartime conditions in Alaska were more exacting and severe than on the mainland of the United States. Yet, at all times during World War II, the support given to the Armed Forces of this country by the populace of Alaska, together with their stability and unflagging morale, were ever beyond reproach. As to the first historic test for statehood, there can be no question that Alaska qualifies.

What of the second test? Do the majority of the Alaskan people desire statehood? In 1946, 12 years ago, a general referendum was held in Alaska on the question. It resulted in a 3-to-2 majority in favor of statehood. A decade later, in 1956, the people of Alaska again passed upon the issue of statehood by ratifying a proposed constitution for the new State, this time by a majority of more than 2 to 1. Only last year, the members of the Territorial legislature, the elected representatives of the Alaskan people, passed unanimously a joint resolution calling for statehood by March 30, 1957.

In order that it may be perfectly clear, on the evidence, that Alaska fully meets the requirements of the second historic test for statehood, I ask that the official tabulations in the referendums to which I have referred, together with the text of the joint resolution, be printed at this point in the body of the RECORD.

There being no objection, the tabulations and joint resolution were ordered to be printed in the RECORD, as follows:

ALASKANS VOTE FOR STATEHOOD

1. Referendum on statehood, general election, October 1946:

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|---|---|
| For statehood | 9,634 |
| Against statehood | 6,822 |

2. Ratification of the State constitution, primary election, April 1956:

| | |
|---|---|
| For ratification | 17,073 |
| Against ratification | 8,060 |

3. Vote on the Tennessee plan, primary election, April 1956:

| | |
|---|---|
| For the plan | 14,957 |
| Against the plan | 9,427 |

4. Joint memorial passed unanimously by the Senate and House of the Legislature of the Territory of Alaska, January 1957:

"ALASKA SESSION LAWS, 1957—HOUSE JOINT MEMORIAL NO. 1

*"To the Honorable Dwight D. Eisenhower, President of the United States; the Honorable Fred Seaton, Secretary of the Interior; the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interior and Insular Affairs, United States House of Representatives; the Congress of the United States:*

"Your memorialist, the Legislature of the Territory of Alaska, in 23d session assembled, respectfully represents:

"Whereas statehood in the American Union on a basis of full equality has long been an aspiration of the people of Alaska, believing in government of, by, and for the people; and

"Whereas the people of Alaska have, for a long time past, demonstrated their ability and fitness to assume the full rights, obligations, and duties of citizens of the United States, and now desire to form themselves into a State, as the people of all other Territories have done before them; and

"Whereas the people of the United States, committees of the Congress of the United States, and the national platforms of both our major political parties have called for the early admission of Alaska to statehood; and

"Whereas the Territory of Alaska has now written and adopted a constitution for the proposed State of Alaska, by overwhelming majority, and has elected a Representative and Senators to the Congress of the United States, as provided by the constitution: Now, therefore,

"Your memoralist, the Legislature of the Territory of Alaska respectfully prays that the Congress of the United States, at its present session, adopt legislation admitting Alaska as a State of the Union and seating its duly elected representatives.

"And your memorialist will ever pray."

Mr. CHURCH. As to the third and last of the historic tests for granting statehood, that is, sufficient population and resources to support State government plus its share of the cost of the Federal Govrenment, we have already heard the evidence well and cogently presented on this floor. I shall not repeat that evidence here. It overwhelmingly demonstrates that Alaska possesses both the population and the economic vitality to support statehood.

Mr. President, Alaska clearly meets the traditional tests the Congress has applied, over the long span of our history, in admitting 35 States into the American Union. By the force of the original treaty of purchase, by the statutes and practices that have given Alaska the status of an incorporated Territory, by the precedents established and tests applied in admitting all former States into our Union, Alaska qualifies. Alaska is entitled to statehood. The bill is before us. Our duty is clear.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORSE in the chair). Without objection, it is so ordered.

Mr. THURMOND. Mr. President, the issue of Alaskan statehood is a complex one. It is a highly important one. It involves questions of national defense, conservation of resources, rights and duties of States, and the setting of a precedent for admission of additional noncontiguous territories to statehood in the Union.

I hope that we all will bear in mind, in considering this momentous question, the element of finality involved. Statehood once granted is irrevocable. The time to consider all aspects of the question is now, for once the statehood bill becomes law, it will be too late for this body to reconsider its action and to correct the situation by repealing its previously enacted bill, as it can do in most other cases. In view of this finality which stares us in the face, I feel that we should all take a long and careful look before setting forth down this road of no return.

We have already heard and read a great deal of background information on the subject of Alaska. We have heard eloquent and glowing descriptions of the physical grandeur of the land. We have heard much of the character of the inhabitants, both the native Indians, Eskimos, and Aleuts and the newcomers who now make up a great majority of the population. We have heard detailed reports of the economic situation in Alaska. We have been given an abundance of statistics and figures of every sort. In short, we have been provided more than generously with background information, piled high, pressed down, still running over.

However, according to the Senate's sentiment as indicated in the press, this information has not been properly digested by the Members of this august body. I shall, therefore, review some of these facts and figures during the course of my address.

Mr. President, I reaffirm my opposition to the admission of Alaska to statehood. I shall state the reasons for my position. I shall urge my fellow Senators to join with me in opposing the pending bill, so fraught with danger to the future well-being of the United States of America.

First, I shall state, and then answer, the principal arguments—of which there appear to be seven—which have been advanced by the proponents of statehood.

Next, I shall deal—at some length, if I may—with the principal reasons why I feel that the admission of Alaska would be unwise.

Finally, I shall show why the admission of Alaska is unnecessary.

The advocates of statehood argue that the Alaskan economy is suffering and that this suffering is due to the disadvantages of Territorial rule. They claim that statehood is necessary to bring economic progress to Alaska, even though, at the same time, they proclaim that Alaska is making great economic progress.

It is of course quite true that Alaska has made considerable economic progress, under Territorial rule, it should be noted. The Honorable E. L. BARTLETT, Alaska's Delegate in the House of Representatives and leading advocate of statehood, inserted in the March 3, 1958, CONGRESSIONAL RECORD an article from the magazine Business Week describing the prospect of an economic boom.

Despite the great progress which has been made, it remains true that the Alaskan economy is in unsound condition. But what is it, specifically, that is wrong with it? It is this: Alaska suffers from high taxes and a high-price economy. And this is a situation which would be aggravated, rather than ameliorated, if Alaska were to be admitted to statehood. The people of Alaska, already overtaxed and burdened with an extremely high cost of living, simply cannot afford to pay the high cost of running an efficient State government.

Mr. President, I hold in my hand the Anchorage Daily News of June 10, 1958. This newspaper is filled with thousands of names of persons listed as defendants in a suit to collect delinquent taxes. These defendants are all in one school district. These thousands of people are unable to pay the taxes which are now levied by the school district under Territorial rule. I ask, Mr. President, How many more names would appear in this newspaper if the high taxes which would surely accompany statehood were imposed?

Responsible opinion in Alaska is aware of the economic facts of life in Alaska. A highly respected newspaper in the capital city of Juneau recently declared in an editorial:

> Alaska needs a 10-year moratorium on the statehood issue, which is a political football, and is being forced by intimidation on the property owners of Alaska. During this moratorium we can put our house in order to develop industry so that we can afford statehood at the end of 10 years.

Mr. President, I have read only a small portion of this editorial. It is such a good editorial, however, that I should like to read its entire contents as it was published in the Daily Alaska Empire, of Juneau, Alaska, on a recent date. It was reprinted in the Washington Daily News of March 12, 1958. The text of the editorial follows:

> Alaska's Delegate ROBERT (BOB) BARTLETT, has put his finger on the statehood problem in the only realistic way that it can be solved for the benefit of the 48 States and the Territory of Alaska.
>
> Delegate BARTLETT announced February 2 of this year that he has a bill pending in Congress to remove the 25-percent ceiling on the cost-of-living bonus given Federal employees in Alaska and allowing this 25-percent tax benefit to be placed at a realistic figure of about 50 percent or more.
>
> Statehood in Alaska is the most misunderstood fact facing the House of Representatives and Senate, because it is loaded with political emphasis and is sponsored by voters in Alaska, 90 percent of whom never remain in Alaska longer than 36 months.
>
> Congressman Dr. MILLER, of Nebraska, conducted a survey and found that the overwhelming majority of the people of Alaska only want statehood after some realistic adjustment of taxes and are against statehood at this time. And yet Congressman MILLER stated before his survey that he would be for statehood regardless of what his sample balloting reflected.
>
> The Alaska Daily Empire is the oldest daily newspaper in Alaska, and it has been owned by three separate families, including the present owners, who have had interests and members of their families in Alaska more than 60 years.
>
> Considering statehood, this is what the Federal internal revenue department announced last fall: "The tax collections in Alaska have dropped from a high of $43,566,000 down to $36,431,000, which indicates that Alaska's economy has only approximately 20 percent of the strength of the Hawaiian economy.
>
> In other words, Hawaii pays in Federal income taxes five times as much as Alaska ever paid, and Hawaii's is increasing, and Alaska's economy is decreasing.
>
> To further reflect the soundness of Alaska's economy, 65 percent of all income in Alaska is paid to Army personnel and Federal Government employees, and because the Army spending in Alaska is on the decline, Alaska's economy is on the decline.
>
> To further reflect the truth about Alaska, we combined some figures for Mr. Seaton and for Congressman MILLER, of Nebraska, and this showed that Lincoln, Nebr., had a far greater amount of money in savings accounts than the total of Alaska, and yet the population of Alaska was approximately twice the population of Lincoln, Nebr.
>
> Alaskans are the highest-taxed group under the American flag, with sales tax, and Territorial income tax, and a cost of living that runs 50 percent to 100 percent higher than the balance of the United States.
>
> Alaska needs a 10-year moratorium on the statehood issue, which is a political football, and is being forced by intimidation on the property owners of Alaska. During this moratorium we can put our house in order to develop industry so that we can afford statehood at the end of 10 years.
>
> And we need to have Delegate BARTLETT'S realistic tax concession granted to Federal employees and extended to all taxpayers in Alaska for 10 years so industry can be established and we in Alaska can pay into the Treasury of the United States rather than being a liability, which is now the case. We believe industry will bring us revenue and growth plus statehood.
>
> Now here's some sober thinking for the Congressmen and Senators who have the interests of the United States in the uppermost part of their minds: To grant statehood to Alaska at this time, we would find that the leftist extreme element in Alaska and Hawaii would undoubtedly run a race in case of war to see which area would voluntarily join the Communist bloc first; and, being next door to Russia, Alaska might go first.
>
> These Congressmen and Senators should heed the statement of Dr. Allan M. Bateman, professor of geology of Yale University, who said on February 23 of this year: "There are 32 critical minerals necessary for successful war or peace or industry." Now what he did not say was that Alaska is the great reservoir under the American flag for these 32 necessary minerals and statehood at this time would delay the development of these minerals for at least 25 years.
>
> Dr. Bateman stated that Russia alone has more of these necessary 32 minerals and is less dependent than any country in the world. The British Commonwealth has a surplus of 25 of these minerals, with a deficiency of only 7 of these minerals.
>
> He further stated that the United States is third from the top and is in a serious position.

Alaska has more of these necessary minerals. Therefore, statehood taxes and the welfare of our Nation should be considered in one package—which is the true way to develop Alaska. Bring about statehood and at least a 10-year moratorium by having Congress wash its hands of this situation which is festered throughout with leftist intimidation and is lacking in integrity and good for the 48 States plus the Territories.

Our continued request to be heard has been jockeyed and moved around. Anyone who speaks realistically about the development of Alaska for the benefit of all of the United States meets the propaganda of the emotionists and the leftists and those who put political gain first and our Nation second.

Mr. President, that was the editorial to which I referred. I thought it would be of interest to the Senate to know exactly what that Alaska newspaper published. The editorial was published in the Daily Alaska Empire, of Juneau, Alaska; and, as I have said, the editorial was reprinted in the Washington Daily News of March 12, 1958.

Mr. President, it is asserted by the advocates of statehood that Alaska has a sufficiently large population to warrant statehood. It is estimated that the civilian population increased from 108,000 to 161,000 from 1950 to 1956, while the military population was estimated at between 45,000 and 50,000. Statehood advocates point out that 18 Territories were admitted to statehood when their respective populations were less than 150,000.

What they do not say, however, is that the situation existing in the United States today is not what it was when earlier States were admitted. The total population has grown to such an extent that 150,000 is now a much smaller proportion of the whole United States population. Although much of this great increase in popualtion has occurred in the last 4 decades, as far back as 1912, when New Mexico and Arizona were admitted, they attained populations of 338,470 and 216,639, respectively, before being granted statehood.

In considering the size of the Alaskan population, it should also be borne in mind that the situation there is atypical, in that 65 percent of the workers are employed by the Federal Government. Furthermore, because of the huge size of Alaska, the population per square mile is very much smaller than that in even our most sparsely-settled States. The population density of Alaska is less than one-third of that of Nevada, the least densely populated of our States.

Mr. President, time and time again I have heard the proponents of this proposed legislation argue that statehood for Alaska will mean immediate and immeasurable growth in the population of the new State. They say that Territorial status is prohibitive of growth and that statehood means an immediate boom in population.

I do not think those claims are borne out by the experience of the States that have entered the Union. I think it would be highly illustrative to examine these States and disclose for the record whether or not statehood meant an immediate boom in population.

Arkansas was admitted in 1836, and increased in population 112.9 percent in the decade before admission; 221.1 percent in the decade in which she was admitted; and only 115.1 percent in the decade after.

Colorado was admitted in 1876, and in that decade increased in population 387.5 percent. How much was acquired before admission and how much afterwards is a matter of speculation. The growth in the next decade dropped to 112.1 percent.

The Dakotas were admitted in 1889. From 1860 to 1870 the Territory of Dakota increased in population 193.2 percent; from 1870 to 1880, 853.2 percent; from 1880 to 1890, 278.4 percent; and in the decade succeeding admission the combined percentage of increase of the 2 States fell to 87.7 percent.

Florida was admitted in 1845. In the decade before she increased in population 56.9 percent; in the decade in which she was admitted, 60.5 percent; and in the succeeding decade, 60.6 percent.

Idaho was admitted in 1890. In the decade from 1870 to 1880, she increased 117.4 percent; from 1880 to 1890, 158.8 percent; and from 1890 to 1900 decreased to 88.6 percent.

Illinois was admitted in 1818. In that decade she increased 349.5 percent; in the next decade, 185.2 percent; and in the succeeding decade, 202.4 percent.

Indiana was admitted in 1816, in which decade she increased 500.2 percent, as compared to 334.7 percent in the preceding decade, and then fell back to 133.1 percent in the succeeding decade.

Iowa was admitted in 1846, and increased in that decade 345.8 percent, as compared to 251.1 percent for the next decade.

Louisiana was admitted in 1812, and increased in that decade 100.4 percent, and only 40.6 percent for the next decade.

Maine was admitted in 1820. Her population increased, from 1800 to 1810, 50.7 percent; from 1810 to 1820, 30.4 percent; and 1820 to 1830, 33.9 percent.

Michigan was admitted in 1837. In that decade she increased 570.9 percent; as compared to 155.7 percent the preceding decade, and only 87.3 percent the decade after her admission.

Minnesota was admitted in 1858. Her increase in that decade reached the marvelous figure of 2,730.7 percent, which dropped down the next decade to 155.6 percent.

Missouri was admitted in 1821. From 1810 to 1820 she increased 219.4 percent; from 1820 to 1830, 110.9 percent; from 1830 to 1840, the highest figure reached in her history as a State, 173.2 percent.

Montana was admitted in 1889. From 1880 to 1890 she increased 237.5 percent, and from 1890 to 1900 only 75.2 percent.

Nebraska was admitted in 1867. In that decade she increased 626.5 percent; the next decade 267.8 percent; and from 1880 to 1890, 134.1 percent.

Oklahoma increased from 1890 to 1900, 518.2 percent, a figure even she, with all her marvelous possibilities, will likely never again equal, regardless of admission to statehood.

Oregon was admitted in 1859. In that decade she increased 294.7 percent, and in the next decade 73.3 percent, and from 1870 to 1880 only 92.2 percent.

Utah was admitted in 1896. Her population increased from 1850, when she was organized as a Territory, to 1860, 253.9 percent; from 1860 to 1870, 115.5 percent; from 1870 to 1880, 65.9 percent; from 1880 to 1890, 44.4 percent; from 1890 to 1900, 32.2 percent, a constantly decreasing ratio.

Washington was admitted in 1889. From 1860 to 1870 she increased 106.6 percent from 1870 to 1880, 213.6 percent; from 1880 to 1890, 365.1 percent; and in the decade after her admission only 46.3 percent.

Wisconsin was admitted in 1848. From 1840 to 1850 she increased 886.9 percent, and in the next decade 154.1, which dropped in the succeeding decade, 1860 to 1870, to 85.9.

Wyoming was admitted in 1890. In 1870 to 1880 she increased 128 percent; from 1880 to 1890, 192 percent; and in the last decade only 49.2 percent.

Arkansas remained an organized Territory 17 years; Colorado, 14 years; Iowa, Kansas, and Louisiana, about 7 years; Minnesota, 8 years; Missouri, nearly 9; Montana, about 25; Nebraska, 13; the Dakotas, 28; Wyoming, 22; Nevada, 3; Utah, 44; Idaho, 27; Oregon, 11; and Washington, 36.

The unavoidable conclusion is that statehood has little to do with growth. In nearly every instance the percentage of growth dropped off very materially after a Territory became a State. Where the natural advantages induce people to settle, there they will flock, regardless of the form of government or the lack of government. Where the people go, railroads and other industrial developments follow.

As their third argument, the proponents of statehood claim that the United States has a legal and moral obligation to admit Alaska to the Union. This argument is based, in part, on the treaty between Russia and the United States by which Alaska was ceded. Article III of this treaty states as follows:

The inhabitants of the ceded Territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years, but if they should prefer to remain in the ceded Territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, subject to such laws and regulations as the United States may, from time to time adopt in regard to aboriginal tribes of that country.

To claim that this treaty obligates the United States to admit the Territory of Alaska is a far-fetched and specious argument. The treaty of cession obviously refers to the individual rights of the inhabitants, not to the right of statehood, since statehood could be conferred only through established procedures set forth in the Constitution, and could not be conferred by treaty.

It is further claimed that the Supreme Court has settled the right of the Territories to ultimate statehood. This

claim is presented as follows in the Senate Report:

Forty-five years ago the Alaska Organic Act was approved and Alaska became the incorporated Territory of Alaska as we know it today. All Territories that were ever incorporated have been admitted to statehood except Alaska and Hawaii, and only three Territories remained in incorporated status for longer than 45 years before admission. The Supreme Court of the United States has stated that an incorporated territory is an inchoate State, and has uniformly considered that the incorporated status is an apprenticeship for statehood.

The Supreme Court, it is true, has attempted to state, or to imply, that there is an obligation to admit incorporated Territories to statehood. As we have all been made painfully aware, however, the Court is not infallible. In attempting to make this determination of policy it was once again usurping the power of the legislative branch. This was an early example of what was later to become, in our own day, a confirmed habit on the part of the Court—that of legislating for the Congress.

In making their fourth point, the proponents of statehood have tried to advance their cause by loudly stating and restating the axiom that local problems can best be solved by local self-government. I certainly support that principle and am a firm believer in local self-government; but I must point out that statehood is not the only kind of local self-government which is possible.

The Alaska Organic Act of 1912 could be amended to give the Territory as much local self-government as is consistent with the welfare of the Territory and of the United States as a whole. But in pressing so single mindedly for admission into the Union, statehood advocates in Alaska have been delinquent in seeking changes in the Organic Act which would provide more practical relief from their difficulties. This inescapably leads one to suspect that local self-government is not really a genuine issue there, but is only being used as a smokescreen. If it were local self-government which is primarily desired, it could easily be provided without a grant of statehood. In fact, especially when one considers how little self-government is being left to the States in the face of ever-increasing Federal encroachment, a nonstatehood solution to Alaska's dilemma could provide that Territory with a far greater degree of self-rule than the people there could obtain through statehood.

The point is, of course, that it is not really local self-government which the statehood advocates are after. What they seek is the very large and disproportionate degree of political power in national affairs which they would wield if Alaska were admitted as a State; for, although Alaska could actually obtain much more self-rule by choosing a nonstatehood status, it is statehood alone which would provide Alaska with two Senators and a voting Representative in Congress.

A fifth argument advanced by statehood advocates is that Alaskan statehood would be helpful to our national defense by providing better machinery for getting local militia into action in case of invasion.

To this argument I shall only say that those who rely on it will be deceived by a false sense of security. The area of Alaska is so great and its civilian population so sparse that there seems little likelihood that local militia would be able to deal effectively with an enemy invasion of any substantial size. In fact, regarding the areas of Alaska most crucial to national security—the north, the west, and the Aleutian Islands—the administration asks for a proviso in the bill giving it permission to withdraw this land from State domain for national security purposes.

According to Gen. Nathan Twining: "From the military point of view, the overall strategic concept for the defense of Alaska would remain unaffected by a grant of statehood."

In argument No. 6, it is claimed that the admission of Alaska would be a saving to the United States, in that many costs now borne by the Federal Government would fall on the new State government.

This argument simply will not hold melted snow. The Alaskan economy could not support an efficient State government. It has been estimated that the cost of State government in Alaska might amount to as much as $217 per capita, which is more than the economy of the Territory could bear. The Federal Government, it would appear, would be obliged to give extraordinary aid to Alaska in order for the new State to remain solvent. I shall have more to say on this matter of Federal aid later in my remarks.

Mr. President, I have dwelt at some length upon a qualification for statehood which I strongly believe should be possessed by any State hoping to enter the Union, that qualification being that the new State has sufficient population, economic resources, and ability to sustain itself of governmental functions and, at the same time, carry its fair share of the burdens imposed upon it by the Union of States. I have stated before, that Alaska cannot meet that requirement. I do not feel that its population is sufficient, nor do I perceive that it has the economic and financial resources to carry its burden.

This requirement or test that has historically been demanded of the States that have entered the Union has been debated time and time again in this body. In the consideration of debate on the admission of Arizona, Oklahoma and New Mexico in 1906, Senator Morgan, of Alabama, laid down a principle which I think is equally applicable in the present instance. Senator Morgan said:

The admission of a State into the Union is intended for the benefit of all of the people of the United States rather than for the benefit of the inhabitants of an area or territory that is included in the limits of such a State.

I say those remarks are applicable here because we are concerned not only with the effect of statehood upon the people of Alaska but also its effect of statehood upon the present Union of 48 States. How can the admission of Alaska at this time prove beneficial to all the people of our Nation? The proponents state that Alaska is necessary as a State because it is vital to our national defense needs. I fail to see how it can add to our national defense any more as a State than it is presently benefiting us in its territorial status.

I ask, Mr. President, Will the admission of Alaska benefit the people of all of the United States? Will it benefit our Nation if, after we have granted statehood, it develops that the new State has neither the economic nor financial strength to carry on its state functions, but rather has to depend upon financial aid from the Union itself in meeting its financial obligations? This could very easily happen, in view of the past economic development and progress of that Territory. This would mean that this new State, rather than conferring a benefit upon the people of the 48 States, imposes a burden on our Nation by forcing it to assume the obligation of carrying that State rather than looking to that State to carry itself.

Since 1791, 35 States have been approved by the Congress as meeting the necessary requirements for admission into the Union of States. While no form of procedure for the organization of a new State is prescribed by the Constitution, and Congress has not by statutory enactment prescribed a mode of procedure by which new territories shall become a part of the Federal Union, each State has been admitted after full debate and after the determination has been made that these States have met various necessary requirements. The growth and development of the United States has been such, since the time of the adoption of the Constitution, that no hard and fast rule has been evolved to declare with particularity what the necessary elements of statehood shall be. Within this framework the Congress has determined the admission of these States on the broad principle of—Shall the new State's admission benefit the entire Union? Within this pattern that has evolved since the formation of the Union, Congress has taken a long and hard look at each new State in order to insure that the new States shall contribute to a more perfect Union. Time and experience has proved that the Congress has acted wisely.

Congress has been extremely careful in insuring that each new State measure up to its sister States in all respects before granting the privilege of statehood. The reason why Congress debates this so carefully and screens the applicants so thoroughly is obvious. Legislation enacted by the Congress admitting a new State is not of a temporary character. Legislation enacted into law by this Congress admitting a State fixes the status of that State for all time. It clothes that new State with all of the rights and privileges, authority and immunity that is now possessed by each one of the 48 States of the Union. Because of the permanent character of this legislation it is of the greatest importance that Congress, in each instance, give carefull consideration not only to the interests of the people who are

seeking statehood, but also as to the possible effect that favorable action on a proposal such as this will effect all of the States that now form our Federal Union.

Therefore, viewing the relative position of the Territory of Alaska today, and its possible effect upon the States of our Union and its citizens, I feel that Alaska would be more of a burden than a benefit to our people.

As their crowning argument, advocates of statehood claim that the admission of Alaska to statehood would prove to other nations of the world that we believe in territories becoming self-governing, according to the principles of the United Nations Charter.

This is an irrelevant argument. In the first place, as I have already mentioned, and as I shall explain in some detail a little later, statehood is not the only form of self-government open to Alaska. The same purpose would be served by permitting the Territory of Alaska a greater degree of self-government, either under Territorial law, or by the establishment of a Commonwealth type of government there. But in any event, we should not take a step that is unwise and unsound merely to please or impress foreign nations. Surely we should have learned that by now. Four years ago our Supreme Court rendered a decision dealing with a domestic issue largely on the basis of foreign propaganda considerations. The result has been turmoil and strife at home, which in turn has led to increased disrespect and enmity abroad.

The Alaska problem is not a colonial problem. The majority of the inhabitants are of American stock, most of them born in the States, or children of parents born in the States. The problem of Alaska is, therefore, strictly an internal United States problem. No nation which decides its internal affairs on a basis of what would be the most pleasing to the masses of Asia will keep the respect of any other nation in the world—not even of the masses of Asia.

Having now reviewed briefly the principal arguments advanced in favor of statehood for Alaska, I should like at this time to discuss what I feel are the main reasons why Alaska should not be admitted to statehood in this Union.

The first reason is this: By conferring statehood on a territory so thinly populated and so economically unstable as Alaska, we, in effect, cheapen the priceless heritage of sovereign statehood. If Federal aid in extraordinary doses is necessary to keep Alaska solvent—and it would be needed, make no mistake about that—it will be used as an excuse for increased Federal aid to all the States, with accompanying usurpation of State powers by the Federal Government.

I realize full well that there are some Members of this body who do not concern themselves with the preservation of the rights of the States. To them the States are little more than convenient electoral districts within an all-powerful monolithic national structure. They are far more interested in the attainment of an all-powerful central government and certain socio-political objectives in relation to which the doctrine of States' rights often appears to them to be an annoying obstacle.

I do not believe, however, that this is true of most of the Members of this body. I do not believe that the majority of Senators are ready to throw down and cast aside completely, once and for all, one of the two main principles which the Founding Fathers established to protect the individual liberties of the people. I believe that more and more people, including Members of this Congress, are coming to realize that the principle of separation of powers, alone, is not enough to insure our individual liberty; that the principle of separation of powers cannot, in fact, stand by itself, but must be supported by the complementary pillar of States rights, in the manner that the Founders intended and prescribed. I believe that the people are at last beginning to see that, if their liberties are to be preserved, the trend toward ever greater centralization of power in the Federal Government must somehow be halted. I believe that this growing awareness of the necessity for action is shared by an increasing number of the Members of this body.

I, therefore, urge my fellow Senators, Mr. President, those at least who are aware of the dangers of centralization and who are interested in stopping the flow of powers to Washington, not to support a step which would very shortly lead to greatly stepped-up Federal encroachment on what remaining powers the States have. This would definitely be a result of granting statehood to a territory economically unable to support an efficient State government. Vast amounts of Federal financial aid would be needed to enable the new State to maintain services which the Federal Government maintains directly now, and this would be seized upon as an excuse for further Federal financial involvement in similar programs maintained in the other States, even where Federal aid was not needed. That acceptance by a State of Federal financial assistance leads sooner or later to Federal usurpation of State power is a truism which I consider unnecessary to explain.

My first reason, then, for opposing the admission of Alaska to statehood is that it would further weaken, to a very great extent, the already-weakened position of the States in our Federal system.

My second main reason for opposing Alaskan statehood is that I believe that in admitting a noncontiguous territory to statehood we would be setting a very dangerous precedent. Statehood advocates have tried to brush off this objection as arbitrary, whimsical, silly, and merely technical. But the admission of Alaska will serve as precedent for the admission of Hawaii, which will in turn be cited as precedent for the admission of other, even more dissimilar, areas.

No, Mr. President, our objection to noncontiguity is not based on any mere arbitrary whim. There is no mere sentimentality at stake—we are not urging that the United States keep its present geographical form simply because it looks pretty on the map that way. The entire concept and nature of the United States is at stake, and therefore the future of the United States also.

Three years ago in an article published in Collier's magazine, the distinguished junior Senator from Oklahoma [Mr. MONRONEY] expressed in a very clear fashion the importance of maintaining our concept of contiguity. I should like to quote him at some length:

> Unless the proposal is blocked or altered we will be on the highroad—or high seas—moving no one knows how swiftly toward changing the United States of America into the Associated States of the Western Hemisphere, or even the Associated States of the World. We will be leaving our concept of a closely knit Union, every State contiguous to others, bonded by common heritages, common ideals, common standards of democracy, law, and customs.
>
> There is physical strength and symbolism in our land mass that stretches without break or enclave across the heart of North America. If we depart from the long-established rectangular land union that represents the United States on all maps of the world and bring in distant States, unavoidably they will be separated from existing States by the territory of other sovereign nations, or by international waters. It would be physically impossible to extend to them such neighborhood associations as now exist among our 48 states.
>
> But far more than the physical shape of our country would be changed if we embark on this policy of offshore states. Senators and Representatives from them would stand for the needs and objectives and methods of the areas from which they come. Inevitably there would be serious conflicts of interest, and a few offshore Members of Congress could, and someday probably would, block something of real concern to a majority of the present States. Island economies are, by their very nature, narrow and insular.
>
> The debates in Congress indicate to me that many Members have not thought the issue through to its ultimate possibilities, but regard it as a matter of immediate political expediency of no great long-range importance one way or another. I think our two parties in their conventions have been much too casual about statehood.

I think the Senator from Oklahoma [Mr. MONRONEY] put his finger on the vital matter at stake when he mentioned the ultimate possibilities. As men charged with the responsibility for the future welfare of the United States, it is our responsibility to consider ultimate possibiilties. We cannot consider the admission of Alaska, or of Hawaii, in a vacuum, closing our minds to the future. We must weigh carefully any and all considerations which are likely, or even reasonably possible, to flow out of our present actions.

And it should be emphasized that in mentioning these ultimate possibilities, the Senator from Oklahoma was not bringing up any argumentum ad horrendum. He was not simply raising nightmarish specters which have no basis in fact. The possibilities to which he and I are referring as ultimate are not necessarily remote. In fact, once the principle of contiguity were broken by the admission of Alaska, they would no longer be possibilities but probabilities.

If Alaska is admitted to statehood into this Union, Hawaii will be admitted, regardless of the entrenched and often-demonstrated power which is wielded there by international communism. And if Alaska and Hawaii are admitted, is there anyone so naive as to think that the process will stop there? The precedent would have been set for the admission of offshore territories, territories

totally different in their social, cultural, political, and ethnic makeup from any part of the present area of the United States.

There is on Puerto Rico still a faction that would like to see statehood. The admission of other offshore territories will greatly strengthen their hand in that island's political scene. And if Puerto Rico demands statehood, on what excuse can we deny it, once we have broken our contiguity rule by admitting Alaska and Hawaii?

Nor could we discriminate against Guam. That would have to be another State. Then would come American Samoa, to be followed by the Marshall Islands and Okinawa.

Furthermore, I see no reason why the process should stop with American possessions and trust territories. Suppose some Southeast Asian nation beset by political and economic difficulties should apply for American statehood. Would we deny them? On what basis? The argument might be raised that unless we granted the tottering nation statehood and incorporated it into our Union it would fall to Communist political and economic penetration. Even without that dilemma as a factor, there would always be a considerable bloc in both Houses of Congress who would favor admitting the nation to statehood for fear that otherwise we might offend certain Asian political leaders or the Asian and African masses generally. Add to these the bloc of Senators and Representatives we would already have acquired from our new Pacific and Caribbean States, and the probabilities are that Cambodia, or Laos, or South Vietnam, or whatever the nation might be, would be admitted to American statehood.

I wish to make it clear that I bear no ill will toward the Cambodians, the Laotians, or the Vietnamese, just as I have no enmity toward the people of Alaska, Hawaii, and Puerto Rico. But I do not feel that Cambodia or the United States or the Free World, in general will benefit by the participation of two Cambodian Senators in the deliberations and voting of this body. I feel that such dilution of our legislative bodies would gravely weaken the United States and reduce its capability to defend the rest of the Free World, including Cambodia.

As the Senator from Oklahoma [Mr. MONRONEY] pointed out:

> The French have tried making offshore possessions with widely differing peoples and interests an integral part of the government of continental France. The plan has been less than satisfactory. It has played a part in the instability and the inconsistency of the French parliamentary system.

The late Dr. Nicholas Murray Butler, long the president of Columbia University and Republican candidate for the Vice Presidency of the United States in 1912, devoted long and careful study to the question of distant, noncontiguous States. Here is the conclusion he reached:

> Under no circumstances should Alaska, Hawaii, or Puerto Rico, or any other outlying island or Territory be admitted as a State in our Federal Union. To do so, in my judgment, would mark the beginning of the end of the United States as we have known it and as it has become so familiar and so useful to the world. Our country now consists of a sound and compact area, bounded by Canada, by Mexico, and by the two oceans. To add outlying Territory hundreds or thousands of miles away with what certainly must be different interests from ours and very different background might easily mark, as I have said, the beginning of the end.

A country that is not American in its outlook, philosophy, character and makeup—and here I refer not to Alaska but to the ultimate possibilities which Alaskan statehood would make probabilities, and, in the case of Hawaii, a foregone conclusion—cannot be made American by proclamation or by Act of Congress. An Act of Congress may admit such a country to statehood in the American Union, but it cannot make it American, and, therefore, its admission would constitute a dilution of the basic character of the United States.

The development of the American character—the character and identity of the American people, of the American Nation, of American institutions and civilization—is the work of centuries. It did not come about overnight. Two centuries and one-half had already gone into that development, from the time when this country had its beginnings in Virginia, before Alaska was even acquired from Imperial Russia.

Mr. President, I know that there are some who will attempt to brush all this aside. They will make the point that, despite this early development, this country, during the past half-century, has received millions of immigrants from eastern and southern Europe and elsewhere. They will point out that these immigrants were of very different ethnic and national backgrounds from those of the earlier settlers; that they were accustomed to very different institutions, and sprang from very different cultures; but that these immigrants have nevertheless, become just as good Americans as the descendants of the earliest Virginians.

The point, however, is this: These were people who were emigrating from their native lands to America. That is a very different proposition from a proposal which would have American statehood emigrating from this country to embrace the shores whence these people came. The immigrants who came here in late decades settled among established Americans, amid established American institutions, surrounded by established American characteristics and ways of living, which they were bound to pick up and adopt as their own—thus, indeed, becoming Americans in fact as well as in technical citizenship. But the bestowal of American statehood on a foreign land will not make its inhabitants Americans in anything but name. If, for example, a native of Sicily were to settle among us, after several years he would pick up our language and customs, he would acquire a grasp of American institutions and culture; and he would adopt the ways of those about him. In short, while still retaining a sentimental attachment to his native land and some of his native characteristics, he would become an American.

It most certainly does not follow, however, that the granting of American statehood to Sicily would, or could, be a happy event either for the United States or for Sicily. The same is true in the case of, let us say, Greece. The mere fact that many citizens of Greek extraction or Greek birth make fine Americans is absolutely no basis whatsoever for assuming that Crete or the Peloponnesus or Macedonia or Thrace or all of Greece could be successfully incorporated into the American Union as a State—even if Greece and the Greeks desired that.

The argument that America has successfully absorbed people of several very diverse foreign stocks has no bearing, then, on the question of whether American statehood could be successfully extended to offshore areas and overseas lands inhabited by widely differing peoples. To bring the peoples to America and settle them among ourselves and make of them Americans is one thing; and even then it is not always easy, and often takes a long time—perhaps a generation or longer, depending on the degree of dissimilarity to the basic American stock. But to attempt to bring America to the peoples, by means of the official act of statehood, is quite another thing. Statehood may make them Americans in name, Americans by citizenship, Americans in a purely technical sense; but it cannot make them Americans in fact. Furthermore, to the extent of the voting representation in the Senate and the House to which they would be entitled under statehood, we would be delivering America into their hands—into the hands of non-Americans. We have too much of this today.

But, Mr. President, perhaps you are asking yourself why I am going into all of this discussion about foreign stocks and overseas peoples, when the subject before us is Alaska, and when I, myself, have already declared earlier in this address that the majority of the population of Alaska is composed of American stock, a great proportion having actually been born in the States.

I will tell you why, Mr. President. The reason is that I am opposed to Alaskan statehood, not so much as something in and of itself, but, rather, as a precedent—an ominous and dangerous precedent.

Should we oppose something otherwise good and beneficial, merely because of considerations of precedent? Some may well ask this question. Let me reply: First of all, I do not consider Alaskan statehood otherwise good or beneficial. On the contrary, I consider it harmful and unwise, for many reasons, as I have already pointed out. But even if I did consider it a good and beneficial step, unless the good to be derived were of such a tremendous magnitude as completely to outweigh all other considerations, I still most definitely would oppose this measure because of the overriding consideration of precedent, especially when I know full well that the precedent which would be established could well lead to the destruction of the United States of America and the collapse of the Free World.

Some say that our rule against admission to the Union of noncontiguous areas was long ago broken, anyway, and that we are a little late in being so concerned about precedent. They refer to the case of California, which was admitted to the Union in 1850. It is true that at the time of its admission California was not contiguous to other already-admitted States. The same may have been true in one or two other instances in our history. But always the territory in between, if not already possessed of State status, was commonly owned American territory, an integral part of our solid block of land.

Thus, we can see that our rule against admitting noncontiguous areas has been kept intact throughout our history as a country. The question before us today is whether to break that rule, thus establishing a precedent for the admission of offshore territories to statehood in the American Union.

Let no one be deceived into thinking that we can safely break the line by admitting Alaska, and then reestablish another line which will hold. I hope that no Senators feel that it is safe to admit Alaska, in the mistaken belief that even after doing so we can still draw forth a sacred and holy rule which is not to be broken: a rule against admitting any Territory not a part of the North American Continent. Such a rule will not hold for even a single session of Congress, because you know, Mr. President, and I know that, once Alaska becomes a State, the doors will be wide open for Hawaiian statehood. And with the admission of Hawaii, out goes any rule about North American Continent only. Then will come the deluge: Guam and Samoa, Puerto Rico, Okinawa, the Marshalls. The next logical step in the process would be that to which I have already alluded: the incorporation in the American Union of politically threatened or economically demoralized nations in Southeast Asia, the Caribbean, and Africa. This is a progressively cumulative process, each step being relatively easier than the preceding one, as the legislative vote of the overseas bloc grows steadily larger with each new admission. Indeed it is conceivable, when we consider the ultimate possibilities which may result from passage of this bill, that we who call ourselves Americans today may some day find ourselves a minority in our own Union, outvoted in our own legislature—just as the native people of Jordan have made themselves a minority in their own country by incorporating into Jordan a large section of the original Palestine, and thus acquiring a Palestinian-Arab population outnumbering their own.

I repeat: This is not a case of conjuring up a ridiculous extreme. This is a distinct possibility which must be considered by this body before we take the irrevocable step—irrevocable, Mr. President, irrevocable—of admitting Alaska to statehood in the American Union.

Mr. President, within the general framework of my opposition to this proposal, in view of the great distance which separates Alaska from the United States mainland, I wish to point out a factor which mitigates against the admission of a noncontiguous Territory.

In the early days of statehood, when the original 13 States banded together to form a more perfect Union, one of the compelling reasons why the 13 States banded together was the fact that they were so closely allied geographically, and united in a common bond of friendship due to the exchange of social ideas, culture, and knowledge. The distance between the then existing States was measured within a relatively few miles so that the people of the various States could get together and communicate with each other and visit back and forth because of their close proximity. Because of their geographical locations, the States were able to unite not only in their thinking and in their political and cultural ideas but also to unite in their common defense. From this geographical closeness there developed a cohesive action which could be used in defense or in promoting better understanding and knowledge among the peoples of the various States. As the boundaries of the growing Nation expanded and its frontiers were extended westward from the original 13 States, the knowledge and culture and communal spirit proceeded with the advancing of the frontiers. This advance into the Territories, and the subsequent admission of the Territories into statehood, differs far more from what we could expect today in relationship to the connection between our present continental limits and those of Alaska. There is between our extreme northern border and Alaska no frontier which can be conquered, as was done by our early settlers, because of the intervening territory of a foreign power which forms a natural barrier to any exchange of ingress and egress with the people of Alaska and the citizens residing within the continental limits of the United States.

In the past our country has grown from a small island of 13 original States into its present 48 States by the very nature of the geographical characteristics of this continent lying between two oceans. It was only natural for the settlers to push to the frontiers beyond as the population increased State by State, and that influx from an established State to a new Territory was able to continue until stopped only by the barrier of the Pacific Ocean.

I submit, Mr. President, that viewed in the light of the way our States developed, this idea now of trying to bring Alaska into our Union of States flies in the face of historical development of our civilization and culture.

Mr. President, is it not obvious that we are on the horns of a dilemma? Heretofore the question of statehood has been basically simple. Heretofore the areas which have been involved in statehood measures lay south of the Canadian border; north of Mexico and the Gulf of Mexico; bounded on the east by the Atlantic Ocean and on the west by the Pacific Ocean. Within those limits, Mr. President, lay all of the area comprising admission to statehood of the now 48 States of the Union. Never before in our history have we come up against the problem of admitting into the Union a Territory or an area so far removed from direct contact with the United States as now constituted, or any one of those States. Always before, the Territory or area to be admitted has either been next to a State of the Union, or at least a United States Territory. Here we have the situation of considering for statehood a Territory which is neither next to a State of the United States nor adjacent to a Territory of the United States but, in fact, is bounded on two sides by foreign nations. Indeed, Mr. President, this is a precedent. This is a case of first impression never before known in the prior history of the United States.

Mr. President, let me digress for a moment to assure my friends in Alaska, and my friends in the Senate, who are in favor of statehood for Alaska that I hold the people of Alaska in the highest esteem. It is not my purpose to in any way detract from their ambition or their loyalty or their desires to become a portion of the United States in its ultimate sense. When I say "ultimate sense" I mean a full-fledged State, equal in all respects to any other State of the Union. As a matter of fact, I admire the people of Alaska who desire statehood for that ambition. So, I wish to make it clear that the remarks I make in this connection are not critical of any person or any community of Alaska. My remarks are not critical of the land and waters emcompassed within the Territory of Alaska. In fact, I am proud of them. My remarks are directed solely to the advisability of admitting this vast Territory to the sisterhood of States.

To return to the situation I was describing above, it would seem to me that favorable action to admit the Territory of Alaska to statehood would create the foundation for the admission of all other Territories and Possessions. To take this step is to write into law processes that form the foundation for perhaps many other like proposals in the future. Let us know that this is not just the 49th State to be admitted to the Union under the same conditions as the other 35 States which have been admitted, but, Mr. President, it is a great deal more than that. It is a reaching out many miles from our continental borders and shores to bring into this Nation as a State a vast territory—a territory at least twice as large as the State of Texas—and bringing it into statehood even though it is many miles away.

At different points in this address I hope to touch upon other subjects which I deem of importance to this matter. I refer to the situation in regard to the common defense. That I shall touch upon, as I have stated, later. I shall also touch upon the subject of a more perfect Union, as those terms are set forth in the Preamble to the Constitution, but now I am confining myself solely to the question of contiguity, and in this instance it is a great deal more than contiguity. The area sought to be brought within the Union does not even approach contiguity. It lies far off and away from the United States as we know it.

When we consider, Mr. President, the annexation of such an immense area, lying so far away, we must pay heed and attention to what possibly could be the result. Let us keep in mind that once this Territory has been admitted to statehood, it shall be forever thus—nothing can be changed.

I referred to the borders of the continental United States previously, and I again draw them to the Senate's attention. The present 48 States lying within these borders are contiguous and are a cohesive union. All of this was one of the intents of the formation of the United States of America. Among other things, it was to take in those territories which naturally, geographically and logically, would fit into the American way of life, culturally, socially, and in all other manners and ways of living. Again, I repeat that these remarks are not in any way directed to the people of Alaska, but to a situation. Does the admission of this vast territory far to our north add to the cohesiveness of our Union? Does it add to the compactness of the Union, or, as a matter of fact, may it not detract therefrom? May we not be spreading ourselves too thin? Is it not possible that statehood for Alaska would take away from the United States that unity in territory which, in my opinion, has always been one of its mainstays of strength? As I have said, between the Pacific and Atlantic Oceans and between the northern and southern borders of the United States lie the 48 States of the Union, unbroken and unfettered by the inclusion of any foreign area. This is strength; this is compactness; this is cohesiveness. Therein lies one of the greatnesses of the United States. While I have no desire in any way to deny the people of Alaska that to which they are rightfully entitled, I do believe that, in all sincerity, honesty and for the good of the country, the utmost care, consideration and study should be given to the matter.

It is not enough to say that the people of Alaska have earned the right to become a State of the Union. It is not enough to say that they can support themselves as a State. It is not enough to say that they have been a Territory too long. One of the answers we should have before acting upon a bill of this nature is, What will be the ultimate effect of statehood? Will it dilute the authority and strength of the Union as it now exists? Will it leave as prey to foreign countries a State which we shall be unable to defend in the manner that we now defend the present States of the Union? There are so many questions, Mr. President, which have not been answered and which I believe should be answered before this momentous step is taken.

I note that some reference has been made to the fact that the Territory of Alaska has been so long a Territory, and this is assigned as one of the reasons why we should admit it to statehood. I cannot believe that the fact that any given area is entitled to statehood simply because it has been a Territory for a longer period of time than any other area. There must be much, much more than that, and yet that has been pointed out—it is said that Alaska has been a Territory for so long, it is time for us to admit it to the Union. If that type of argument is persuasive for the admission of any Territory into the Union, let me say that there is no argument I know of against the admission of any area into the United States.

Mr. President, even at the risk of touching upon the dramatic, I shall refer to portions of the Preamble to the Constitution of the United States, which, in effect, states, "In order to form a more perfect union," and "for the common defense." To me, these words have a definite meaning and are not just what one might say are "pretty words." We should all like to have a perfect Union from every standpoint conceivable—geographically, politically, socially, and culturally. Perhaps unconsciously this has always been in the back of the minds of our predecessors in the admission to statehood of the various Territories, even though it may not have been expressly the purpose of statehood. We know that the banding together of the States has created a strength and a stature that never could have been attained by each individual State acting on its own, or by any other form of federation. Therein has been the progress leading toward a more perfect Union. Therein lie the materials, both tangible and intangible, which, as a whole, give the strength for our common defense. The United States of America as it is presently constituted, while perhaps not perfect, or not indestructible, has reached a position of leadership in the world as we know it today.

I do not say that there is not room for improvement of our lot, both from the individual point of view and the collective point of view, because there is, and to that end we should always strive. I do say, however, that the consideration of the admission of any Territory to the United States should be carried out, based upon the proposition primarily as to whether or not it will add to that more perfect Union and will add to the common defense of all of the United States.

All of this, it seems to me, was a comparatively simple proposition when we dealt with the areas and the Territories which now constitute the United States. As I have stated before, that area was confined to the oceans on the east and the west of us and the borders to the immediate north and south of us. I do not believe it could have been argued at that time that the addition of this Territory would in any way weaken us. That was particularly true in the admission of the State of California and the other States of the west coast, for the reason that California was comparatively well populated, while the intervening territory between California and the East was sparsely populated. This, of course, gave us a better means of protection from the West in admitting California as a State. It also gave us better means of protection for the intervening territory, so that it could be developed and brought to the point where it could, as time passed, qualify for statehood. All of these things have come to pass and we have the United States of America as it is now constituted.

What is the situation in regard to Alaska? We go many miles to the north—beyond the borders of a foreign nation and to the border of another foreign nation—and select a vast Territory, a Territory so large as to be almost fantastic in size when compared to any other present State of the Union. I do not say that this is wrong. I do say that the questions I impose have not been, as far as I have been able to discern, considered adequately or reasonably satisfactorily. Should it be that a real consideration of the ultimate effect of the admission of Alaska as a State of the United States be for the good of the entire Nation and would not detract from our international stature, I should not object. This has not been done, Mr. President, either from the standpoint of common defense or a more perfect Union. If it has, it has not come to my attention.

No doubt, Mr. President, the proponents of the legislation may say that Alaska, from a military standpoint, is a bastion not to be underrated. They may say that it is one that is of the utmost importance to us and, as such, should be admitted to statehood. Of course, to me this does not follow, because from the military standpoint it can be just as valuable—just as well manned—just as well armed, and just as powerful as a Territory as it can be as a State. On the other hand, the fact that it is an isolated State of the United States of America may well be a handicap in case of war. Would there not be a different political implication if the State of Alaska were invaded, as opposed to the Territory of Alaska? Frankly, I do not know, but I do want these questions answered before I shall feel that I can vote for a proposition so foreign to anything that we have done before, and this even in view of the fact that some consider it just another State admission. The proponents of the legislation would like us to believe that all we are doing is admitting another State into the Union. I cannot emphasize or re-emphasize more than is humanly possible that this is not so. We are doing a great deal more than just admitting another State. If this were not so, I should be the last to object.

Militarily speaking, Alaska is of vast importance. In fact, it has been recognized in the present legislation that such is the case, and it is so well recognized that in section 10 of the bill it is sought to reserve to the United States, at the pleasure of the President, vast territories for national defense. If there is an indication on the part of the administration or any of the proponents of this legislation that such a reservation of territory is necessary for the national defense, it seems to me that to release the other area contained in the Territory for purposes of statehood is not sound. If we must reserve a great portion of Alaska under the aegis of the President of the United States so that he may, at his will, exercise exclusive jurisdiction, it seems to me that not to reserve the balance of the Territory is to cut off our nose to spite our face, from

a military standpoint. If, on the other hand, we may set aside to the State of Alaska that area which the bill does not reserve for military purposes, then I see no reason why we cannot safely give the rest to them. Why is it that such importance is attached to one area of Alaska above a certain parallel and not to the remainder of it? So far as we know, this reservation has never existed in the admission of any other State into the Union.

Mr. President, I point out these matters because I believe that they are not in the interests of a more perfect Union or do not tend to enhance the proposition of the common defense.

Mr. President, in addition to the two major objections which I have just outlined, there are a number of other reasons why I oppose statehood for Alaska.

For one thing, I have grave doubts that Alaska is economically capable of assuming the responsibilities that go with statehood. I have already briefly touched on this subject, but now I should like to go into this aspect in a little more detail. Hon. CRAIG HOSMER of California, clearly outlined to the House, when this bill was under consideration there, some of the economic aspects of this problem.

Mr. President, one of the requirements for statehood which has been adhered to by the Congress in screening the capability of the State to carry its burden of proof that it is ready, willing, and able, is that the proposed new State has sufficient population, resources, and financial stability so as to support State government, and at the same time carry its fair share of the costs of the Federal Government. I believe that this is a fair test to which the Congress should adhere in determining whether a State is ready and able to join the Union of States. With this in mind, I think it proper to examine the financial and economic position of the Territory of Alaska in order to evaluate its present position, its income, its taxing power, and how it has been carrying its financial burdens while in a Territorial status.

Proponents of Alaskan statehood have spoken in glowing terms of the tremendous natural resources the Territory possesses and have said that the development of this vast resource potential has been retarded by Alaska's Territorial status. They argue that statehood would aid development of these natural resources and that statehood would encourage a vast flow of new capital and settlers into the new State.

Secretary of the Interior Seaton, while speaking in Alaska recently, observed that one of the reasons why Alaska would be a welcome addition to the family of States is that these tremendous untapped riches of natural resources would be more available and sooner developed by statehood. The Secretary went into considerable detail about the mineral resources, particularly coal, oil, its pulp potential, its fishing industry, its development of hydroelectric energy—all should offer great incentive for the bringing in of risk capital by stateside investors. It is all very well to speak about this vast natural resource potential, but I think close scrutiny belies the glowing picture that the proponents seek to paint. I venture to say that these resources could no more be developed under statehood status than they have been in the past under Territorial status. In this connection it should be noted that Alaskans have been seeking statehood for many years. The first statehood bill was introduced in the Congress in 1916. Since 1916, there have been bills introduced in many Congresses and numerous Congressional hearings, not only in Washington but also in Alaska. I am sure that since 1916 and during the intervening years up to the present those people most vociferous in arguing for statehood keep reiterating the cry that the natural resources and the great economic potential would realize its greatest potential upon admission as a sister State. It seems to me that if this economic potential has been in existence and the development of these great natural resources has been going on since 1916—because the Alaskans had been working for statehood since that time—there appears to have been no great progress toward this economic dream during the 40-year span. Assuming this bill is enacted and Alaska becomes a State, and we use as a yardstick the economic progress made in the past 40 years and project that 40 years into the future, I fail to see how Alaska can even support its own State government expenses and administration of its own fiscal affairs, let alone carry its fair share of the burden of Federal governmental expenses.

Those sponsoring this legislation try to create the impression that Alaska is simply an additional frontier which our pioneers have finally reached and are about to bring into productive use rapidly. This amounts to a complete misunderstanding of Alaska's recent history and current situation.

Since our purchase of Alaska from the Russians, it has had two population booms. The first occurred between 1890 and 1900 when gold was discovered. The population increased sharply from about 30,000 to approximately 60,000 during that decade. Gold discovery did not lead to a steady, solid, permanent growth. As a matter of fact, the population of Alaska actually declined between 1900 and 1930.

The second spurt in population occurred between 1930 and 1950, but this did not result from increased use of Alaska's natural resources. It was due almost entirely to something else—the growth of Federal Government activities.

The increase of Alaska's population closely paralleled the increase in Federal spending and in the number of Federal jobs. Federal expenditures specifically earmarked for Alaska in 1950 amounted to $71 million; in the 1951 budget estimates, $112 million. These figures do not include a great part of the military spending there.

As of December 1948, there were 11,536 Federal employees in Alaska, most of whom it is safe to assume went there after 1930. To this figure must be added the employees of companies having Federal construction contracts in the Territory.

During the years since 1930, the population of Alaska has increased at an accelerated rate. It is clear, however, that substantially all of this increase can be accounted for by the increase in Federal job holders, employees of Government contractors, their families, and the trade and service establishments dependent upon them.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the Senator from Mississippi.

Mr. EASTLAND. Mr. President, the Senator is making a very able address. I ask unanimous consent that I may suggest the absence of a quorum without the Senator from South Carolina losing the floor.

The PRESIDING OFFICER (Mr. HRUSKA in the chair). Is there objection? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HRUSKA in the chair). Without objection, it is so ordered.

Mr. MORSE. Mr. President, will the Senator from South Carolina yield for a question?

Mr. THURMOND. I am pleased to yield for a question.

Mr. MORSE. If the Senator from South Carolina is planning to speak for some time, and would like to have a break in his speech at any time, with the understanding that any interruption would follow his remarks, I should be very happy to make a short speech I have planned to deliver, because I have announced previously today that I would speak. But I leave that decision entirely to the Senator from South Carolina.

Mr. THURMOND. In reply to the distinguished Senator from Oregon, I do not think I shall speak for more than 10 minutes.

What will happen to this increased population if the Army follows its announced policy of evacuating its civilian employees from Alaska?

On the other hand, military expenditures in Alaska depend entirely on the international situation. Eventually Alaska must look forward to a sharp decrease in military activity there.

During this artificial boom created by Government spending, the basic industries of the Territory, instead of expanding, declined.

Gold mining, the principal industry of the interior, has fallen off sharply. In 1941, gold production amounted to approximately $28 million. By 1949 this production had fallen to less than $8 million. Statehood cannot improve the condition of this industry. Increased production costs and a fixed selling price have crippled it. Unless the price of gold is changed, there can be no relief for the gold-mining industry in the foreseeable future.

The story of the fishing industry is similar, although not quite so bad. Production of canned salmon on the average

during the years 1945–49 was less than the average production for any 5-year period since 1910–14. Those familiar with Alaska conditions agree that the salmon and most of the other fishing industries in the Territory have about reached their peak on a sustained-yield basis. Even the most ardent proponent for statehood will admit that passage of H. R. 7999 will not increase the annual run of salmon.

Take away military expenditures and Alaska's entire economy must depend almost entirely on the fishing industry. This means that the economy of the new State would depend on this resource's conservation and protection. The fishery resource, in turn, is affected by imports of foreign products. Furthermore, the conservation and protection of the industry are dependent to a large extent on the establishment of international treaties extending protective measures beyond the 3-mile limit.

What are the prospects for other industries which are supposed to develop with such amazing speed once statehood is granted?

There are still only about 600 farms, including fur farms, in the entire Territory—less than in the average agricultural county in the continental United States. For years we have been hearing about the possibilities of agricultural expansion in Alaska. But thus far the combination of climate, geography, and Federal redtape has prevented any substantial additional settlement there. Furthermore, there is no reason to believe that statehood will remedy this situation.

We have also heard glowing, optimistic reports about the future of timber and pulp in Alaska. High transportation and production costs plus foreign competition have halted development of these resources.

One large contract for woodpulp production has been signed. But the contractor has been hesitant about going ahead with his plans and making the large investment required. Reports are that the prospect of excessive taxes under statehood has been a dominant factor in causing this delay.

Instead of hastening the development of the timber and pulp industry in Alaska, passage of H. R. 7999 might well thwart it.

In short, there is no evidence of any industry that will appear and develop once statehood has been granted. The only industry—if such it can be called—which has developed at a rapid pace during recent years has been Federal bureaucracy. A Federal bureaucracy is hardly a fit basis on which to erect a structure of statehood.

It must be remembered that Alaska's climate is unfriendly to many ventures—that it necessitates that all industries be of seasonal nature because of severe winters in the interior and heavy rainfall on the coast. Outside work is difficult for many months under these conditions. Construction, for example, is limited to the summer months in most parts of Alaska.

Alaska has been preserved for many years as a sort of happy hunting ground for Federal bureaus which have withheld its resources from development. Either that, or they have tried to control its development according to plans drafted 5,000 miles away in Washington, D. C.

Mr. President, I have much more information that I wish to present to the Senate, but I shall do so on another occasion. At this time I shall yield the floor, especially out of respect for my distinguished friend from Oregon.

Mr. MORSE. Mr. President, I want my friend from South Carolina always to know that I appreciate his courtesies.

Mr. THURMOND. I thank the Senator.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12716) to amend the Atomic Energy Act of 1954, as amended; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DURHAM, Mr. HOLIFIELD, Mr. PRICE, Mr. VAN ZANDT, and Mr. HOSMER were appointed managers on the part of the House at the conference.

## ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

H. R. 6306. An act to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing 14th Street or highway bridge across the Potomac River, and for other purposes";

H. R. 6322. An act to provide that the dates for submission of plan for future control of the property of the Menominee Tribe shall be delayed; and

H. J. Res. 382. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission.

## POLITICAL IMMORALITY

Mr. MORSE. Mr. President, I shall speak for a very few minutes, but with an expression of sympathy for the loyal members of the staff of the Senate who, on more than 1 occasion during the past 13 years, have borne with me at this hour of the night. I had expected to deliver this speech at a much earlier hour today; and once I have given my word to the press or anyone else that I shall back up on the floor of the Senate what I have said in a press conference, I keep my word, irrespective of the lateness of the hour.

Mr. President, on June 18 I spoke in the Senate concerning the political immorality revealed by the testimony received before the Subcommittee on Legislative Oversight of the House Committee on Interstate and Foreign Commerce on June 17.

As I pointed out in that speech, the House hearings disclosed that Mr. Sherman Adams called on the then Chairman of the Federal Trade Commission, Mr. Edward F. Howrey, for information concerning an FTC action against one of the mills owned by Mr. Bernard Goldfine. Section 10 of the Federal Trade Commission Act reads as follows:

Any officer or employee of the Commission who shall make public any information obtained by the Commission without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding $5,000, or by imprisonment not exceeding 1 year, or by fine and imprisonment, in the discretion of the court.

Also the Commission Rules of Practice, Procedures, and Organization reads, from paragraph 1.134:

Release of confidential information: (a) Upon good cause shown, the Commission may by order direct that certain records, files, papers, or information be disclosed to a particular applicant.

(b) Application by a member of the public for such disclosure shall be in writing, under oath, setting forth the interest of the applicant in the subject matter; a description of the specific information, files, documents, or other material inspection of which is requested; whether copies are desired; and the purpose for which the information or material, or copies, will be used if the application is granted. Upon receipt of such an application the Commission will take action thereon, having due regard to statutory restrictions, its rules, and the public interest.

(c) In the event that confidential material is desired for inspection, copying, or use by some agency of the Federal or a State Government, a request therefor may be made by the administrative head of such agency. Such request shall be in writing, and shall describe the information or material desired, its relevancy to the work and function of such agency and, if the production of documents or records or the taking of copies thereof is asked, the use which is intended to be made of them. The Commission will consider and act upon such requests, having due regard to statutory restrictions, its rules, and the public interest.

And rule 1.115, part 1, subpart (b), reads as follows:

Confidentiality of applications. It has always been and now is strict Commission policy not to publish or divulge the name of an applicant or a complaining party.

There is no doubt that section 10 of the Federal Trade Commission Act makes it a misdemeanor, punishable by both fine or imprisonment, or both, for any officer to disclose, without permission of the Commission, confidential information, as set forth in paragraphs 1.134 and 1.115 of the Commission's rules of practice.

On page 1794 of the transcript before the House Subcommittee on Legislative Oversight, the following appears:

Mr. LISHMAN. Now I would like to call your attention to the fact that in the memorandum dated January 4, 1954, from Chairman Howrey, of the Federal Trade Commission, to you, the statement is made, among others, "On November 3, 1953, Einiger Mills lodged a complaint against Robert Lawrence, Inc., a Boston coat manufacturer, operating under the trade name of Leopold Morse, which was using Northfield fabrication labeled 90 percent wool, 10 percent vicuna.

According to our wool division, this letter was inaccurate for the reason that the fabric contained nylon fabrication."

In the concluding paragraph of this memorandum to you from Mr. Howrey, "Mr. Hannah advises me that if Northfield will give adequate assurances that all their labeling will be corrected, the case can be closed on what we call a voluntary cooperative basis."

In my opinion, Mr. Edward F. Howrey violated section 10 of the Federal Trade Commission Act. Ordinarily, Mr. President, the statute of limitations on misdemeanors is for 3 years; but on September 1, 1954, section 18, United States Code, 3282, was enacted, providing as follows:

Except as otherwise expressly provided by law, no person shall be prosecuted, tried, or punished for any offense, not capital, unless the indictment is found or the information is instituted within 5 years next after such offense shall have been committed.

This was one of the early actions of the Eisenhower administration, and, in my opinion, was enacted in order to extend the statutory time so that the alleged wayward conduct of the previous administration could be thoroughly sifted. How ironical—because now the wayward conduct of one of the Republican chosen few can be reached under this Republican-sponsored law. Mr. Howrey's memorandum was dated January 4, 1954; and the 5-year statutory period has not yet elapsed. Extension of this statute of limitations has been one of the few really foresighted actions of the Eisenhower administration.

Mr. President, in my opinion, when a law of a given agency, such as the Federal Trade Commission, is violated, it is the duty of that agency to see to it that redress is obtained thereunder. It is my intention to call upon the present membership of the Federal Trade Commission to see to it that that violation of its statute by its former chairman, Mr. Edward F. Howrey, is called to the attention of the Attorney General of the United States, for action. In order that there can be no misunderstanding, however, I am also calling this matter to the attention of Mr. William P. Rogers, the Attorney General, so that there can be no mishap or failure to consider the prosecution of Mr. Howrey for his overt violation of section 10 of the Federal Trade Commission Act.

I am satisfied, Mr. President, that if an ordinary employee had been guilty of the violation which Mr. Howrey committed, such an employee would have received swift justice. I trust that our laws are not meant only for small fry, but apply equally to members of "the team." During Mr. Howrey's testimony, he made it perfectly plain that he did not take up this matter with his fellow commissioners, but that he acted solely on his own authority, at the request of Mr. Sherman Adams. I state here and now that I shall not be content with any rationalizations by any person or parties to the effect that Mr. Howrey was not an officer within the meaning of section 10 of the Federal Trade Commission Act, or that the matter he disclosed was not confidential. I can read the English language, and I insist that section 10 of the Federal Trade Commission Act is clear and unequivocal on this point. If we are to have justice in this land of ours, it must be applied fairly and impartially.

There are those who seek to leave with the American people the impression that Members of Congress as a body are tarred with the same brush of political immorality. It is my judgment that such a charge is at great variance with the facts. There is no analogy between the improper conduct, in violation of the conflict-of-interest principle of Sherman Adams, Adolphe Wenzell, Harold Talbott, Peter Strobel, Jerome Kuykendall, and others within the Eisenhower administration who have been playing fast and loose with the conflict-of-interest principle, and, on the other hand, the acceptance by the campaign committee of a candidate for Congress of campaign contributions.

Those who smear Congress with the insinuations that campaign contributions are the same kettle of fish as influence peddling by an Adams or a Talbott or a Wenzell are guilty of a disservice to public confidence in our free election system.

Campaign contributions are a matter of public record; they are published for all to see, under State law in Oregon and in most other States. Those who seek to give the impression that contributions to a candidate's finance committee have strings or commitments attached, besmirch the election system in our country.

Undoubtedly there have been, from time to time, abuses in the raising of campaign funds. All of us know of notorious examples of campaign and political slush funds, but they are the notorious exceptions. In my 13 years in the Senate, I have seen little evidence that Members of Congress are guilty of any conflict of interest, because of any campaign contributions they may have received, in carrying out their Congressional duties. The requirement of public disclosure of campaign contributions and the penalties for violation under the Corrupt Practices Act have proven to be effective checks against corruption in this area.

It is true that the sources of campaign funds for most candidates to Congress can be divided into two main categories. Candidates who are conservative in their political philosophy find that most of the campaign contributions sent to their campaign finance committees come from conservative individuals and conservative economic groups from within our society. On the other hand, liberal candidates find that their campaign committees received most of their contributions from liberal citizens and consumer groups.

However, it is fallacious reasoning to argue that Members of Congress automatically become guilty of conflict of interest because the campaign committee of a conservative Member of Congress receives campaign funds from conservative groups and the campaign committee of a liberal candidate receives campaign contributions from liberal groups. The political philosophy of the candidate is not created by the campaign contributions. He was a conservative or a liberal before he ran for office, and it is only in the natural course of events under our political system that he is supported by the individuals and groups in our citizenry who share his political philosophy.

That is part and parcel of the democratic process. In a very real sense it is the essence of our system of free elections. Undoubtedly there is a need for some improvements and reforms in connection with the financing of political campaigns, in order to give the American people greater protection from such abuses as have crept into the system. That is why for many years I have agreed, here in the Senate, with those who have proposed that our Federal election laws be amended so as to provide for more stringent control of the costs of elections. There is no doubt that campaigns for Federal office, including not only membership in the Senate and the House of Representatives, but also the Presidency of the United States, cost entirely too much. An election race should not be a race between dollars. Instead, it should be a race between candidates. It should not be a race to see which campaign committee can raise the largest campaign fund. Instead it should be a race between alternative political policies and programs espoused by the several candidates.

Several years ago, the Senator from Illinois (Mr. DOUGLAS) proposed that the Federal Government pay at least a part of the costs of radio and television expenses in the campaigns for election to major Federal offices, and that, in return, the Federal Government exercise greater control in the allocation of program time, in the interest of seeing to it that the voters have a fair opportunity to hear the views of each candidate, and thereby be in a better position to cast a more enlightened vote.

My colleague, the junior Senator from Oregon (Mr. NEUBERGER), has introduced an election reform bill, which several of us have joined in sponsoring, based upon somewhat similar principles, in carrying out the position taken by Teddy Roosevelt on this matter. The Senator from Missouri (Mr. HENNINGS) also has a fair elections bill which recommends some needed reforms in this field.

The objectives and goals of these proposals have a great deal of merit, and I shall always be on the side of those who seek to improve the system of free elections in the United States.

However, I do not intend to mislead the American people into believing that our election system is honeycombed with corruption, and that Members of Congress and other elected officials—local, State, and Federal—in our country are political puppets dangling at the end of strings held in the hands of campaign contributors. Our system of elections, based upon the free ballot box in America, has made a glorious record in self-government, unequaled anywhere else in the world. Fortunately, and to our everlasting credit, it is probably the greatest threat to the spread of communism in

the areas of the world where we are seeking to win men's minds over to the side of freedom. Free elections and communism are not handmaidens. Granted that we need to be constantly vigilant to protect our election system from the erosion of corruption and malpractices, we should not destroy public confidence in its democratic strength simply because we find that a timber here and there has been infested by political termites.

By analogy we should remember that termites fully exposed to the sunight or sprayed by insecticides do not last very long. Likewise, the crooked politician who seeks to undermine the strength of our free election system cannot last very long under such reforms as proposed by Senators DOUGLAS, NEUBERGER, HENNINGS, and others.

That is why I have proposed each year since 1946 the Morse bill requiring annual public disclosure of the sources and amounts of income, including gifts, of each Federal official, including Members of Congress, who receive from the Federal Government $10,000 or more a year.

Why should not the voters have an opportunity to decide for themselves what cause-to-effect relationship may exist between the personal finances of a Federal official and his official conduct in office? Such an open-account book approach to officeholding should not be opposed by any Federal official who seeks office, provided the rule is uniformly applied, as I propose in my bill. This is a more direct approach to the problem of checking any conflict of interest which may exist among Members of Congress than it is to leave the innuendo with the American people that because some Members of Congress, find it necessary to supplement their income with fees from speeches, or royalties from books, or articles in magazines, or special feature stories in newspapers, they are guilty of a conflict of interest practice.

My bill provides that all Members of Congress, as well as other Federal officials, shall make a public report once a year, to be released by the Federal Government, as to the sources and amounts of such income and gifts. If they give some of their income to charity or other good works, they should be privileged to list it in their public accounting.

Public disclosure of the sources and amounts of income and gifts received by Federal officials would have a very salutary effect on any malpractices which now exist, but it also would disclose that elected officials are relatively free of conflict of interest abuses. Why do I think this is so? Because, in my opinion, the ballot box itself is a remarkably effective check upon Members of Congress and holders of other elective office who may be tempted to engage in conflict of interest financial transactions.

The code of ethics among elected officeholders is very, very much higher than some critics would seek to lead the American people to believe. The elected official really does live in a glass house. At all times, we are fair game. I would not have it any other way. It is an essential part of our democratic system. Although from time to time we find that an individual elected official is guilty of financial improprieties it is the rare exception.

Unfortunately, the American people are not told enough about the high ethical conduct of Members of Congress. They do not hear enough about the sacrifices which elected officials make for the common good in carrying out a career of public service. Too frequently, it is not until the eulogies of an elected official are being spoken that the public becomes aware of many of the sacrifices he made in dedicated public service.

Take, for example, the ethical problem that is raised when there is before the Senate of the United States a bill which might conceivably be subject to the interpretation of involving the personal financial interest of some Member of the Senate. It has been my observation that Senators are very sensitive about this matter. On some occasions, I have thought that some Senators were not sensitive enough, but on occasion a Senator will ask to be excused from voting on a given measure because he thinks it does involve or might involve his personal financial situation.

Some weeks ago, when the bill on postal rates was before the Senate affecting the postal rates on newspapers, the Senator from Virginia [Mr. BYRD] and the Senator from Arkansas [Mr. FULBRIGHT] set a very good example by asking to be excused from voting on that part of the bill which involved newspaper postal rates. They simply announced that, because of their financial interests in newspapers, they would like to be excused from voting; and, of course, such permission was granted to them by the Senate. As a matter of fact, that is the purpose of the Senate rule which permits a Senator to vote "present."

I have made these comments today because I have noted that there have been those who have tried to minimize the misconduct of Sherman Adams by seeking to give the impression that the conflict of interest violations are rampant in Congress as well. Their insinuations that campaign contributions are in the same class as conflict of interest gifts in the form of paid hotel bills or loaned rugs overlook the legal checks on the campaign contributions to which I have referred. They have failed to point out the checks which are applicable to an elected official but not applicable to a Sherman Adams, a Harold Talbott, or an Adolph Wenzel.

So the point is raised in opposition to the dismissal of Sherman Adams that his conduct has only been in accord with a common standard of political ethics and practice prevalent in America today. These defenders say, in effect, "Why single out Sherman Adams? Why single out one man? It is the system that is wrong."

That raises the second issue of whether there is to be individual responsibility for political actions and behavior, an issue as old as the ancient democracies.

Historically, the people of America have tried to deal adequately with both public standards and personal acts.

We have laws, which I have cited, requiring reporting of campaign contributions; we have laws to regulate lobbying, at least to some extent; we have laws against conflict of interest on the part of executive officials; and we have a law against unauthorized release of confidential information from the Federal Trade Commission, which I believe Mr. Howrey has violated at the request of Sherman Adams.

Are we going to hold individuals responsible under these laws, or are we not? Are these laws on the books merely for persuasive and exemplary purposes, or are they there to be enforced?

Is there to be personal responsibility for political conduct, or is there not?

Does anyone think for a moment that public standards and ethics are improved when violations of law, or even of a code of ethics we all recognize, are shrugged off with the excuse that "everyone is doing it"?

The way to begin elevating our standards is by enforcing the standards we already have. And I do not know how that can be done except against individuals.

Letting off the known violators is never going to improve any political code. Mr. Howrey may very well have violated the law. If so, he did it at the request of Mr. Adams from his desk at the White House. If the Federal Trade Commission Act does not hold the solicitor of such information equally guilty with the person who gives it out without authorization, then the moral law does.

I ask the defenders of Sherman Adams who do not think he should be dismissed, where would they begin? If they do not want to punish a known violator of the ethical code we have today, how can they expect to improve that code?

I also point out that no code is any better than its universality of application, and its sureness of enforcement.

If the history of nations and of the world reveals any lesson on this point, I think it is that there must be personal responsibility and accountability for public acts. It is said that whole nations cannot be punished for evil policies and practices. Neither can whole classes of people, nor entire political parties. But individuals can and should be.

Without adherence to that principle, I see no hope for improvement in the ethics and morality of government in America, or in the morality of international relations.

On this problem of conflict of interest which has characterized the Eisenhower administration from the beginning, I think that Drew Pearson's column this morning hits the nail on the head.

Mr. President, without taking the time to read the column I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

WHY IKE NEEDS ADAMS CLARIFIED

(By Drew Pearson)

The last Gridiron Club dinner featured a skit on Sherman Adams which was so rough that Sherman canceled his reservations to come to a repeat performance the next afternoon. The skit showed him telephoning to

the FCC for TV channels for favored Republicans to the tune of the song:

"Sugar in the morning, sugar in the evenin',
Sugar at supper time,
FCC's our baby
And TV ain't no crime."

To understand whether Sherman Adams was telling the truth regarding his relations with Bernard Goldfine, and in order that the American public may better understand how the Eisenhower administration operates, it's important to take a comprehensive look at the activities of Sherman Adams.

He occupies the same position in the White House as Matt Connelly did under President Truman. Connelly's job was to make appointments for the President. If you can decide who can or cannot see the President, tremendous power and favor comes your way. Connelly went far beyond this one duty, but never anywhere near as far as Adams.

ADAMS' ALL-SEEING EYE

Every report requiring affirmative action that comes to the President's desk is initialed "O. K.—S. A." If the paper doesn't bear Adams' initials, the President returns it with a query, "What does Sherm say about it?" Adams presides over staff meetings, which used to be presided over by Mr. Truman and Mr. Roosevelt. He attends meetings of the National Security Council. He pulls wires with Congress, despite the fact that an efficient liaison officer, Gen. Wilton Persons, is appointed to do that job.

And despite his sworn testimony to the contrary, he keeps a very careful eye on the regulatory agencies, supposed to be independent of the White House. The heads of all regulatory agencies come over to see Adams at regular intervals, and he goes over policy and personnel.

Members of the regulatory agencies all know this, and that is why a call from Adams to Chairman Ed Howrey of the Federal Trade Commission merely asking a question was equivalent to an order.

When members of the regulatory agencies do not conform, they are fired. When Paul Rowan, Commissioner of tne Securities and Exchange Commission, voted against the giant Dixon-Yates private power project for the Tennessee Valley, he was dropped on Adams' orders.

When Col. Joseph Adams fought for small airlines, as a member of the Civil Aeronautics Board, he also was dropped. Formal notification came from Adams' assistant, Robert Gray.

It was Adams who also decided to dump Dr. Leonard Scheele, Surgeon General of the Public Health Service; also to fire Peter Strobel of the General Services Administration after this column revealed that Strobel was guilty of making an inquiry on behalf of his company, somewhat in the same manner Adams made an inquiry on behalf of his benefactor, Bernard Goldfine.

UNNECESSARY TO PHONE

Much of Adams' intervention with the independent agencies does not consist of actual phone calls. Members of the agencies know that when he has the power to hire and fire they must conform. Under the law the regulatory agencies are supposed to have a majority of only one Republican under a Republican administration. The other members are supposed to be Democrats. But by a process of appointing such weak "Republicrats" as Richard Mack, Adams has succeeded in stacking the independent agencies so that they follow the Sherman Adams line.

Technically this is not against the law, but it is certainly against the spirit of the law.

Mr. MORSE. Mr. President, on a couple of other occasions in the past 2 weeks I have commented upon the public service which Drew Pearson has rendered in the muck raking job he does as a columnist, pointing out the malfeasance in public office as he finds it. I think we are particularly indebted to Mr. Pearson for the courageous journalistic job he has done in connection with the Sherman Adams case.

There are many in our country who share the point of view which Mr. Pearson has expressed in regard to the Adams case. In my State, at least, it is very interesting to find that many of the leaders of the Republican Party have had enough of Mr. Adams. I hold in my hand a headline story from the Oregon Journal for Thursday, June 19, 1958, the headline of which reads, in large black type: "State GOP Heads Seek Adams Firing—Ike Aide Declared Liability to Party."

Mr. President, I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATE GOP HEADS SEEK ADAMS FIRING—IKE AIDE DECLARED LIABILITY TO PARTY

Insofar as Oregon Republican leaders are concerned, Sherman Adams had better grab his hat and depart the White House.

Robert T. Mautz, of Portland, Oreg., GOP national committeeman, added his voice to the swelling chorus in a message sent to Meade Alcorn, Republican national chairman.

Mautz told Alcorn that in his opinion the fact that the President's chief aide had accepted gifts and hospitality from Bernard Goldfine, Boston woolen manufacturer, was a matter that could not be dismissed as mere imprudence.

In Mautz' view, Adams' "so-called imprudence" is akin to the influence-peddling incidents in the Truman administration.

The opinion that Adams should get out of his top post also came from Elmo Smith, former governor. Earlier, much the same sentiment was expressed by State Treasurer Sig Unander and James F. Short, Republican State chairman.

Mautz said bluntly that Adams should resign and, if he didn't, President Eisenhower should ask for the resignation.

"I believe any person so highly placed in government as Mr. Adams should be like Caesar's wife—beyond even suspicion, let alone reproach."

The committeeman said he has no way of predicting the effect of Adams' indiscretion on the results of the November election. Integrity in government is the major issue, Mautz asserted, and "Adams should resign his position whether it will affect the election or not."

Smith called Adams "a liability from now on." He said it would be naive to think that a call to the Federal Trade Commission from the Presidential assistant would mean no more than a call from any Joe Doakes. Adams has been accused of intervening with the FTC in Goldfine's behalf. Adams has admitted calling the FTC but has denied, under oath, any pressure or attempt at influence.

The former governor and long-time State Republican leader said flatly, "I think Adams should get out."

But, said Smith, he does not favor Unander's proposal for the Republican State central committee to censure Adams in a formal resolution. Such censure, in Smith's view, should come directly from the President.

Short, now in Washington, D. C., attending a Republican campaign school, predicted that Adams will be a handicap to the party in the drive for contributions and volunteer workers for the November election. He said Adams "ought to be booted out."

The Oregon State party official, who was one of the first in the country to demand that Adams be fired, also said today that Adams' defense of himself before Congressional investigators Tuesday did not change his feeling.

Short, faced with the task of rehabilitating his shattered party in Oregon, told Roulham Hamilton, of the Journal's Washington bureau, "It would make it easier for us" if the President would fire Adams, despite Eisenhower's flat assertion Wednesday, that "I need him."

Except for the possible effect of the Adams case, Short told reporters he feels strongly that the Republican cause is looking up in Oregon. He said that while he looked for a very close race, he believes that Mark Hatfield will succeed in regaining the statehouse for the Republicans by ousting Gov. Robert D. Holmes in November.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point an editorial from the Oregonian of Thursday, June 19, 1958, entitled "Why Sherman Adams Should Resign."

In my judgment the Portland Oregonian has set forth some very sound advice for the Eisenhower administration, which it has so consistently supported since this administration has been in office.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHY SHERMAN ADAMS SHOULD RESIGN

Sherman Adams' explanation of favors he received from and gave to his millionaire friend, Bernard Goldfine, confirmed, rather than refuted, the charge that he acted improperly as a White House employee. By the White House's own definition, Mr. Adams arranged for preferential treatment of Mr. Goldfine by a Federal agency, the Federal Trade Commission.

The report sent to Mr. Adams by FTC Chairman Edward F. Howrey, at Mr. Adam's request, and delivered by Mr. Adams to Mr. Goldfine, was in violation of the confidence rules of the FTC. It was also in violation of Federal law which prohibits the disclosure of information in FTC files not already public.

Two years ago, President Eisenhower said in a press conference:

"I cannot believe that anybody on my staff would ever be guilty of anything indiscreet, but if ever anything came to my attention of that kind, any part of this Government, that individual would be gone."

But Wednesday, Mr. Eisenhower said in his press conference: "I need him." He repeated Mr. Adams' own admission that he had been imprudent, that he had not been sufficiently alert. But he said, also, "a gift is not necessarily a bribe," there was "a lack of intent to exert undue influence," Mr. Adams is "an invaluable public servant, doing a difficult job efficiently, honestly, and tirelessly," and "no one believes he could be bought."

Thus, the President has decided on the bases of expediency, his own need, and personal loyalty, that his earlier position must be modified. He is going to keep Mr. Adams.

Even though one may discount the holier-than-thou expressions from some Members of Congress, who have been knocking on Sherman Adams' door seeking special favors since January 1953, the President's decision is not defensible. It weakens his moral leadership of the Nation and casts a reflection on the administration and the Republican Party.

There is no essential difference between the deep freeze and mink coat gifts to high Federal officials in the Truman regime and the vicuna cloth, hotel bills and oriental rug gifts of which Chief Presidential Assistant Adams was the beneficiary. President Truman got angry and refused to fire Harry Vaughan. President Eisenhower became angry when questioned by the press Wednesday and refused to fire Sherman Adams.

Mr. Adams' explanation of his intervention on Goldfine's behalf with the Federal Trade Commission, which was considering charges against Goldfine of mislabeling textiles, was that he did not ask FTC Chairman Howrey to violate any rules; that he did not know the FTC rules against disclosure of confidential information, including the name of Goldfine's accuser; that he did not exert pressure.

But if Mr. Adams did not know the FTC rules, Chairman Howrey certainly did. He violated the rules and Federal law because the White House, in the person of Sherman Adams, asked him for a report. Thus is disclosed the patent fact that a mere request for information from an official as close to the President as Mr. Adams becomes, in itself, pressure of the most severe kind.

Mr. Adams told the House committee that he had made a legion of such calls on behalf of persons dealing with Federal agencies. Why? Citizens are entitled to equal treatment from public officials and agencies. They can get all the information they are entitled to legally by going directly to the agency in which their interest lies. One citizen, because of friendship or other reason, is not entitled to preferential treatment.

The fact that this sort of thing goes on all the time does not mitigate the evidence that Mr. Adams not only was imprudent, he performed acts which resulted in a law violation and discriminatory treatment of citizens. He did this for a personal friend who had given him expensive presents. Like the President, we don't think he was bought. But he certainly was had, and willingly.

The most disturbing thing about the Adams case is that neither the White House aide nor the President is willing to admit there is anything basically wrong with Mr. Adams' conduct. Both excuse it on the grounds of inexperience, carelessness and and imprudence. How can there be morality in government if our highest officials have these blind spots? Mr. Adams should resign—not only because of the Goldfine incident, but because he has become too powerful in the executive branch, and because he has misused this power.

Mr. MORSE. In closing my speech on this matter, prior to the insertion of some other material in the RECORD, Mr. President, let me say that I do not find it particularly pleasing to have to discuss such matters as the Sherman Adams case, any more than I found it particularly pleasing to have to discuss day after day the Talbott case, prior to his resignation. I think, however, that attention needs to be focused on the ethical issues which are involved. I intend to continue to focus attention on malfeasance in office as I find it in carrying out the public trust which I owe to the people of the State of Oregon.

I have no intention at any time, Mr. President, to excuse malfeasance on the ground that perhaps somebody else is likewise guilty.

As a father, Mr. President, who has had the fascinating parental experience of trying to raise children, when giving advice to the child as to why she should not have done what she did I was never stopped in carrying out my parental duties by the common childish alibi, "Well, Susan, or Mary, or somebody else did it too."

I think, Mr. President, in a very real sense in the Senate of the United States, under the free election system, we do have a trust to do what we can to keep government as clean as a hound's tooth," even though our President may have forgotten his preachments in respect to that same moral principle.

Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

## THE CONSTRUCTIVE EFFORTS OF THE FUTURE FARMERS OF AMERICA

Mr. MORSE. Mr. President, we hear much of juvenile delinquency these days and are properly shocked at the disrespect shown for law and order which these stories illustrate. Sometimes, in my judgment, we neglect to pay tribute to the constructive civic projects our other teen-aged citizens participate in with enthusiasm and skill.

An example of the fine work being done in this area of constructive community effort is exemplified by the Future Farmers of America. Mr. President, I ask unanimous consent that an article entitled "More Scouts Watching for Ragweed as Result of Educational Program" published in the June 1958 issue of the Agriculture Bulletin, a publication of the State of Oregon, be printed in the RECORD at the close of my remarks.

These young men who are participating in this worthwhile community service project are not only performing a valuable public service, they are also learning the basic essentials of good citizenship through doing so. They deserve our respect and commendation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MORE SCOUTS WATCHING FOR RAGWEED AS RESULT OF EDUCATIONAL PROGRAM

The 1958 program to control ragweed in the western Oregon counties is already under way, with first spraying done at the turn of the month.

As result of the educational work carried on during the winter and early spring, more persons than ever will be on the lookout for this innocent looking plant which causes extreme discomfort to its allergy victims.

Among the new recruits to the stop-ragweed campaign are between 350 and 400 Marion and Clackamas county high school Future Farmers of America. George Moose, the department's ragweed supervisor, and Weed Supervisor Neufeldt of Marion County, carried the ragweed message to from 1 to 5 agricultural classes in 7 high schools last month.

During the winter, Supervisor Moose discussed the control program and showed slides of ragweed in its various stages of development to Grange and Farmers Union meetings, to weed conferences, to highway conferences and to soil conservation service groups.

These and other contacts have served to acquaint more people with ragweed and the need to be on the lookout for any new infestations this spring.

The department needs and appreciates volunteer help in locating ragweed.

First ragweed plants found this year were in the Woodburn and Butteville areas of Marion County.

Last year the special ragweed spray equipment covered about 5,000 acres of land in western Oregon. All but a major infestation in Josephine County (20,000 acres off the highway and away from centers of population) was treated in the 1957 program.

Landowners are reminded that all ragweed spraying on their property is paid for under the appropriation made by the 1957 legislature.

## THE TRANSPORTATION ACT OF 1958

Mr. MORSE. Mr. President, now that we have disposed of the railroad bill I desire to comment upon a very interesting letter which I received from the State of Oregon concerning the tactics which sometimes are used to persuade people to write letters to their Senators and Representatives in support of some particular bill.

Senators will remember that the railroads were recently very much interested in the so-called Smathers railroad relief bill. I was strongly for the bill. I thought that on the merits the railroads were entitled to the assistance which the Smathers bill proposed to give. I supported the bill. I voted for the bill.

Mr. President, a very fine citizen of my State whose name and address will be deleted from the letter, in confidential fairness to him, wrote to me with regard to the pressures which were put on the employees of the railroads to engage in a letter-writing program to Members of Congress in support of the bill. He said:

JUNE 6, 1958.

Senator WAYNE MORSE,

DEAR SIR: On the basis of the enclosed material I was supposed to write a letter as per sample.

After a few days with no letters the boss herded all of our crew into the office where we signed a typed letter which the railroad will mail.

I know nothing about the Smathers bill. Please act according to your best judgment and be sure of my continued support.

Yours truly,

Mr. President, I also ask unanimous consent to have printed in the RECORD a copy of some mimeographed material entitled "Examples of Letters That May Be Written But Changed to the Language of Parties Writing Them."

This is a very interesting exhibit, Mr. President, containing a whole series of form letters which the railroad officials prepared and had mimeographed, and then turned over to the railroad workers with instructions from the crew bosses, in effect, that the workers should get busy and put the pressure on Members of the Senate by sending such letters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXAMPLES OF LETTERS THAT MAY BE WRITTEN BUT CHANGED TO THE LANGUAGE OF PARTIES WRITING THEM

Hon. (John Doe),
*United States Senate,*
*Washington, D. C.*

Hon. (John Doe),
*House of Representatives,*
*Washington, D. C.*

(example)

DEAR SIR: I am writing you, Mr. (Senator) (Congressman), about the Smathers bill that deals with railroads.

I am a railroad worker in (State) and have seen a lot of my fellow workers leave in force reductions because our business is not good and we don't seem able to do anything about it.

If the recommendations in this bill were made into laws, then we could compete as we should be able to and it would mean a better prosperity for everybody, everywhere in this State.

(example)

While I know you are very busy, Mr. (Senator) (Congressman), I assure you it's better to be busy than out of a job right now. I am a railroad man—or was, until recently when our force was cut again.

The bill dealing with the recommendations for relief of railroads by the Smathers committee is very important to me and a great many of my railroad friends. We feel it's most unjust to impose almost impossible restrictions on the railroads and allow others to undercut in every way to the detriment of railroads. We want to be good citizens, good Americans, and vote for those who believe in fairness to all Americans.

(example)

I have never written a letter to any of my State representatives because I always figured our interests were in good hands, and I still do. If you will pardon me for taking up a minute of your valuable time, and you surely must be working around the clock, now just don't forget the Smathers bill means very much to me as a railroad man with some (35) years of seniority that seems so inadequate right now.

If we railroaders are given a chance to stay in business by making some equitable laws in fairness to all, then we can continue to add something to this Nation's recovery.

Again, thank you, and I and many others in this city will appreciate your favorable consideration of the Smathers bill.

(example)

Please permit me to call your attention to Smathers bill S. 3778 that's designed to give relief to the plight of our Nation's railroads.

As a railroad man, I know of nothing pending that's more important to me and my job security. While I know there are many foreign country matters of grave importance to all Americans that take your constant indulgence, a business balance in this country is the most immediate concern to most of us, and I trust you will use your influence and highly regarded judgment in considering the merits of this legislative matter that means the successful operation of railroads in the future.

Mr. MORSE. This is an interesting example of the so-called senatorial pressure mail, a great deal of which is utterly worthless. As this very honest constituent pointed out, he did not know anything about the Smathers bill.

He expressed the view that he wanted me to do what I thought was right under the circumstances.

I think that will usually be found to be the case. Ordinarily people who, for one reason or another, are pressured by bosses to put this kind of heat, so to speak, upon Members of Congress are hoping that, notwithstanding any such pressure mail, their Senators and Representatives will continue to do what they think is right in accordance with the facts in connection with a particular bill.

In this case the bosses have gone so far as to prepare a mimeographed list of United States Senators and Representatives in the Territory of the Union Pacific Railroad Co., State by State.

I ask unanimous consent to have that list printed in the RECORD at this point as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF UNITED STATES SENATORS AND REPRESENTATIVES IN UNION PACIFIC RAILROAD CO. TERRITORY

IOWA

Senators: BOURKE B. HICKENLOOPER, Republican; THOMAS E. MARTIN, Republican.

Representatives: District 1, FRED SCHWENGEL, Republican; district 2, HENRY O. TALLE, Republican; district 3, H. R. GROSS, Republican; district 4, KARL M. LECOMPTE, Republican; district 5, PAUL H. CUNNINGHAM, Republican; district 6, MERWIN COAD, Democrat; district 7, BEN F. JENSEN, Republican; district 8, CHARLES B. HOEVEN, Republican.

NEBRASKA

Senators: ROMAN L. HRUSKA, Republican; CARL T. CURTIS, Republican.

Representatives: District 1, PHIL WEAVER, Republican; district 2, GLENN CUNNINGHAM, Republican; district 3, ROBERT D. HARRISON, Republican; district 4, A. L. MILLER, Republican.

WYOMING

Senators: FRANK A. BARRETT, Republican; JOSEPH C. O'MAHONEY, Democrat.

Representative-at-Large: E. KEITH THOMSON, Republican.

COLORADO

Senators: GORDON ALLOTT, Republican; JOHN A. CARROLL, Democrat.

Representatives: District 1, BYRON G. ROGERS, Democrat; district 2, WILLIAM S. HILL, Republican; district 3, J. EDGAR CHENOWETH, Republican; district 4, WAYNE N. ASPINALL, Democrat.

KANSAS

Senators: ANDREW F. SCHOEPPEL, Republican; FRANK CARLSON, Republican.

Representatives: District 1, WILLIAM H. AVERY, Republican; district 2, ERRETT P. SCRIVNER, Republican; district 3, MYRON V. GEORGE, Republican; district 4, EDWARD H. REES, Republican; district 5, J. FLOYD BREEDING, Democrat; district 6, WINT SMITH, Republican.

MISSOURI

Senators: THOMAS C. HENNINGS, Jr., Democrat; W. STUART SYMINGTON, Democrat.

Representatives: District 1, FRANK M. KARSTEN, Democrat; district 2, THOMAS B. CURTIS, Republican; district 3, Mrs. LEONOR K. SULLIVAN, Democrat; district 4, GEORGE H. CHRISTOPHER, Democrat; district 5, RICHARD BOLLING, Democrat; district 6, W. R. HULL, Jr., Democrat; district 7, CHARLES H. BROWN, Democrat; district 8, A. S. J. CARNAHAN, Democrat; district 9, CLARENCE CANNON, Democrat; district 10, PAUL C. JONES, Democrat; district 11, MORGAN M. MOULDER, Democrat.

UTAH

Senators: ARTHUR V. WATKINS, Republican; WALLACE F. BENNETT, Republican.

Representatives: District 1, HENRY ALDOUS DIXON, Republican; district 2, WILLIAM A. DAWSON, Republican.

CALIFORNIA

Senators: WILLIAM F. KNOWLAND, Republican; THOMAS H. KUCHEL, Republican.

Representatives: District 1, HUBERT B. SCUDDER, Republican; District 2, CLAIR ENGLE, Democrat; District 3, JOHN E. MOSS, Jr., Democrat; District 4, WILLIAM S. MAILLIARD, Republican; District 5, JOHN F. SHELLEY, Democrat; District 6, JOHN F. BALDWIN, Jr., Republican; District 7, JOHN J. ALLEN, Jr., Republican; District 8, GEORGE P. MILLER, Democrat; District 9, J. ARTHUR YOUNGER, Republican; District 10, CHARLES S. GUBSER, Republican; District 11, JOHN J. MCFALL, Democrat; District 12, B. F. SISK, Democrat; District 13, CHARLES M. TEAGUE, Republican; District 14, HARLAN HAGEN, Democrat; District 15, GORDON L. MCDONOUGH, Republican; District 16, DONALD L. JACKSON, Republican; District 17, CECIL R. KING, Democrat; District 18, CRAIG HOSMER, Republican; District 19, CHET HOLIFIELD, Democrat; District 20, H. ALLEN SMITH, Republican; District 21, EDGAR W. HIESTAND, Republican; District 22, JOSEPH F. HOLT, Republican; District 23, CLYDE DOYLE, Democrat; District 24, GLENARD P. LIPSCOMB, Republican; District 25, PATRICK J. HILLINGS, Republican; District 26, JAMES ROOSEVELT, Democrat; District 27, HARRY R. SHEPPARD, Democrat; District 28, JAMES B. UTT, Republican; District 29, D. S. SAUND, Democrat; District 30, ROBERT C. WILSON, Republican.

NEVADA

Senators: GEORGE W. MALONE, Republican; ALAN BIBLE, Democrat.

Representative-at-Large: WALTER S. BARING, Democrat.

IDAHO

Senators: HENRY C. DWORSHAK, Republican; FRANK F. CHURCH, Democrat.

Representatives: District 1, Mrs. GRACIE PFOST, Democrat; District 2, HAMER H. BUDGE, Republican.

MONTANA

Senators: JAMES E. MURRAY, Democrat; MICHAEL J. MANSFIELD, Democrat.

Representatives: District 1, LEE METCALF, Democrat; District 2, LEROY H. ANDERSON, Democrat.

OREGON

Senators: WAYNE MORSE, Democrat; RICHARD L. NEUBERGER, Democrat.

Representatives: District 1, WALTER NORBLAD, Republican; District 2, AL ULLMAN, Democrat; District 3, Mrs. EDITH GREEN, Democrat; District 4, CHARLES O. PORTER, Democrat.

WASHINGTON

Senators: WARREN G. MAGNUSON, Democrat; HENRY M. JACKSON, Democrat.

Representatives: District 1, THOMAS M. PELLY, Republican; District 2, JACK WESTLAND, Republican; District 3, RUSSELL V. MACK, Republican; District 4, HAL HOLMES, Republican; District 5, WALT HORAN, Republican; District 6, THOR C. TOLLEFSON, Republican.

Representative-at-Large: DON MAGNUSON, Democrat.

## FUTURE CITIZENS — OUR MOST PRECIOUS NATURAL RESOURCE

Mr. MORSE. Mr. President, upon more than one occasion, I have stated that one of our most precious national resources is to be found in the boys and girls who will be the citizens of tomorrow.

We, in our generation, owe to them the duty of providing a sound education in those values we wish to have conserved for the future. One method of inculcating these values, among them the love and understanding of nature and the relationship of formal education to the tangible sights and sounds found in nature, is that exemplified by an article published in the June 1958 issue of the Oregon State Game Commission Bulletin.

This pilot project described in the article, which is under the supervision of Mrs. Ellen McCormack, a sixth-grade schoolteacher in the Crooked River Elementary School in Prineville, Oreg., was designed to put into practice the principle "Things which can best be taught in the outdoors should there be taught."

In my judgment, Mrs. McCormack and the Prineville school system deserve commendation for this worthwhile program.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the CONGRESSIONAL RECORD at the close of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S TEACH IN THE OUT-OF-DOORS

Luther Burbank once said, "Every child should have mud pies, grasshoppers, waterbugs, tadpoles, frogs, mud turtles, elderberries, wild strawberries, acorns, chestnuts, trees to climb, brooks to wade in, water lilies, woodchucks, bats, bees, butterflies, various animals to pet, hayfields, pine cones, rocks to roll, sand, snakes, huckleberries, and hornets, and any child who has been deprived of these has been deprived of the best part of his education."

Most conservationists and many educators undoubtedly agree with Burbank and, as a result of the cooperative effort of a few, outdoor education through school camping has arrived in Oregon. It is one of the newest teaching techniques, providing youngsters with rich learning experiences in the outdoor laboratory. Outdoor education may be defined as "effective use of the out-of-doors to help promote the growth, welfare, and total education of children." It is a practical approach to those subjects which are normally taught only in an indoor classroom. In the outdoor laboratory the learner may, through firsthand observation and direct experience, develop appreciations, skill, and understandings that will supplement the curricula of the public schools.

A pilot project in outdoor education through school camping has just been completed with a sixth grade in the Crooked River Elementary School at Prineville. Thirty-four students and their teacher, Mrs. Ellen McCormack, spent a week in an outdoor classroom at Camp Tamarack in the Cascade Mountains near Sisters. Before taking her class into the out-of-doors, Mrs. McCormack asked herself this question, "What things can we do in camp which will add to, enrich, and reinforce the learnings which have already taken place in the classroom?" Without a clear-cut, definite relationship to the regular school curriculum, school camping would find little acceptance in the eyes of parents or educators. One youngster remarked after helping the forester measure the height, circumference and board feet in a large Ponderosa pine, "Now I can see why arithmetic is important."

The idea of outdoor education through school camping as an enrichment of the curriculum first started in Michigan about 1940. The W. K. Kellogg Foundation helped establish the first public school camp, and by 1950 Michigan had more than 60 schools that provided a week or more of outdoor education for their children.

San Diego followed suit in 1945 with its city-county school camp, and by 1950, New York, Texas, and Washington were giving outdoor education a try. More than half the States in the United States now have school camping programs in their elementary schools. California schools send more than 30,000 sixth graders to school camps.

The story of how Mrs. McCormack took her class to Camp Tamarack for a week in the outdoor classroom is an interesting one. Here is a teacher who dared to accept the principle so long preached by Dr. L. B. Sharp that "Things which can best be taught in the outdoors should there be taught." With encouragement and support from her principal, Lloyd Lewis, and the county school superintendent, Cecil Sly, Mrs. "Mac," as she was affectionately known in camp, enthusiastically worked the three R's into the whole outdoor education program. Before the youngsters ever left the classroom they had learned enough about weather in their science studies to really want to know how to predict weather with the equipment available to them in camp. With the help of student-counsellors from the public school camping class at Oregon State College, they constructed wind vanes, simple anemometers, and temperature and humidity gages.

Conservation of natural resources received major emphasis and in this area of study the teacher had assistance from resource consultants of the Oregon Game Commission, the United States Forest Service, and the Soil Conservation Service. These agencies helped to coordinate the learning activities in the outdoors with those at school. Before the week was over the youngsters were beginning to understand that soil, water, plants, and animals have "interdependency," and that man's careless use of one may destroy all the rest. They began to see that conservation means not only wise use, but also careful use, and scientific management.

A typical day at the school camp included plenty of other learning activities. From the time the bugle sounded in the morning until the singing of the friendship song around the evening campfire, students were learning. Sometimes the learning was related more to the simple problems of getting along with people.

Recreation had its place in the school camp. Every afternoon there was time in the schedule for games, a scavenger hunt, folk dancing, or a similar activity. Cookouts were part of the instruction, but it was easy to see that the children considered them fun. As part of the arts and crafts study they made plaster casts of deer tracks around a pond, and this appeared to be fun, also.

Dr. Elmo Stevenson, president of Southern Oregon College, has this to say about outdoor education. "In an age of expanding leisure, millions of people are seeking the out-of-doors. Thousands of them will be denied the full measure of enjoyment of outdoor experiences because they lack basic attitudes, knowledges, skills, and appreciations. These may be learned and developed through a sound school program of outdoor education. Thus the school has a vital responsibility for equipping every youth with these basic requisites so essential for lifelong enjoyment of the out-of-doors." If other educators will accept the responsibility for and see the value of this learning experience, outdoor education through school camping will be here to stay.—Austin Hamer.

## DISPARITY BETWEEN SECRETARY BENSON'S PRESS RELEASES AND FACTS OF AGRICULTURAL ECONOMICS

Mr. MORSE. Mr. President, from time to time I have commented about the disparity between the glowing press releases of Mr. Benson and the hard, cold facts of agricultural economics that affect Oregon's farmers.

An item that appeared on page five of Agriculture Bulletins, an official publication of the Oregon State Department of Agriculture for June 1958, helps to document the points I have made.

Mr. President, I ask unanimous consent that the article referred to entitled "Chicken Industry Sells $25 Million in Meat and Eggs" be printed in the body of the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHICKEN INDUSTRY SELLS $25 MILLION IN MEAT AND EGGS

Consumers ate chickens and eggs at less drain on their pocketbooks in 1957 but it cost the poultryman and broiler grower a good share of the already narrow spread between costs and income.

This is one of the stories between the lines in the United States Department of Agriculture April report on poultry production and income in 1956 and 1957.

In 1957, Oregon's cash farm income for chickens, eggs, and broilers was $25,978,000; in 1956, $29,952,000.

This is the way the subdivisions looked on farm money received:

| | 1956 (*Thousands*) | 1957 (*Thousands*) |
|---|---|---|
| Chickens | $2,129 | $1,794 |
| Eggs | 21,788 | 18,839 |
| Broilers | 6,035 | 5,345 |

Last year 2,913,000 chickens, 7,697,000 broilers, and 568 million eggs were sold from Oregon's production. The same figures for the previous year were: 2,896,000, 8,382,000 and 581 million.

## TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

## ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ANDERSON (by request):

S. 4047. A bill authorizing appropriations for the use of the Atomic Energy Commission, and for other purposes; and

S. 4048. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

## AMENDMENT OF PUBLIC LAWS 815 AND 874, EIGHTY-FIRST CONGRESS, RELATING TO FINANCIAL ASSISTANCE TO SCHOOLS IN AREAS AFFECTED BY FEDERAL ACTIVITIES—AMENDMENTS

Mr. YARBOROUGH (for himself and Mr. KERR) submitted amendments, intended to be proposed by them, jointly, to the bill (H. R. 11378) to amend Public Laws 815 and 874, Eighty-first Congress, to make permanent the programs providing financial assistance in the construction and operation of schools in areas affected by Federal activities, insofar as such programs relate to children of persons who reside and work on Federal property, to extend such programs until June 30, 1961, insofar as such programs relate to other children, and to make certain other changes in such laws, which were referred to the Committee on Labor and Public Welfare, and ordered to be printed.

## NOTICE OF HEARING ON CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public

hearing has been scheduled for Tuesday, July 1, 1958, at 10:30 a. m., in room 424 Senate Office Building, upon the following nominations:

William Z. Fairbanks, of Hawaii, to be second judge of the first circuit, Circuit Courts, Territory of Hawaii, for a term of 6 years—reappointment.

Edgar D. Crumpacker, of Hawaii, to be first judge of the first circuit, Circuit Courts, Territory of Hawaii, for the term of 6 years, vice Carrick H. Buck, term expired.

Harold W. Nickelsen, of Hawaii, to be second judge of the third circuit, Circuit Courts, Territory of Hawaii, for the term of 6 years, to fill a new position.

At the indicated time and place persons interested in the above nominations may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Indiana [Mr. JENNER], and myself, as chairman.

## LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of Senators, I announce that it is the hope of the leadership that, starting tomorrow, the Senate will begin voting on points of order and amendments to the Alaska statehood bill.

As Senators know, it is planned to have the Senate convene at 11 o'clock tomorrow morning. It is the intention that the Senate shall remain in session until late tomorrow night, in the hope that consideration of the bill can be expedited, and that amendments and points of order can be voted upon.

## RECESS TO 11 O'CLOCK A. M. TOMORROW

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. MANSFIELD. Mr. President, pursuant to the order previously entered, I move that the Senate stand in recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 33 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, June 25, 1958, at 11 o'clock a. m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate June 24, 1958:

### UNITED STATES ATTORNEYS

The following-named persons to be United States attorneys for the district indicated with their respective names:

Harry Richards, of Missouri, for the eastern district of Missouri for a term of 4 years.

Herbert G. Homme, Jr., of North Dakota, for Guam for the term of 4 years.

Julian T. Gaskill, of North Carolina, for the eastern district of North Carolina for a term of 4 years.

Robert Vogel, of North Dakota, for the district of North Dakota for a term of 4 years.

### UNITED STATES MARSHALS

The following-named persons to be United States marshals for the district indicated with their respective names:

Harry R. Tenborg, of North Dakota, for the district of North Dakota for a term of 4 years.

Kenner Wilburn Greer, of Oklahoma, for the western district of Oklahoma for a term of 4 years.

# HOUSE OF REPRESENTATIVES

## TUESDAY, JUNE 24, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

James 1: 5: *If any man lack wisdom, let him ask of God, who giveth to all men liberally, and upbraideth not.*

Almighty God, our gracious Benefactor, with confidence and joy, we invoke the blessings of Thy grace and favor, of wisdom and understanding.

Always and everywhere we need Thee; in our weakness to sustain us; in our strength to discipline us; in our despondency to encourage us; in our perplexities to give us vision and insight.

We humbly confess that our finite minds are frequently enslaved by a sense of futility and frustration and we feel unequal to our tasks and responsibilities.

May the spirit of our blessed Lord be our conscience and controlling influence as we seek to find the right solution to our many difficult problems.

In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 2548. An act to authorize payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project;

H. R. 4260. An act to authorize the Chief of Engineers to publish information pamphlets, maps, brochures, and other material;

H. R. 4683. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam;

H. R. 5033. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

H. R. 6641. An act to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes;

H. R. 7081. An act to provide for the removal of a cloud on the title to certain real property located in the State of Illinois;

H. R. 7917. An act for the relief of Ernst Haeusserman;

H. R. 9381. An act to designate the lake above the diversion dam of the Solano project in California as Lake Solano;

H. R. 9382. An act to designate the main dam of the Solano project in California as Monticello Dam;

H. R. 10009. An act to provide for the reconveyance of certain surplus real property to Newaygo, Mich.;

H. R. 10035. An act for the relief of Federico Luss;

H. R. 10349. An act to authorize the acquisition by exchange of certain properties within Death Valley National Monument, Calif., and for other purposes;

H. R. 10969. An act to extend the Defense Production Act of 1950, as amended;

H. R. 11058. An act to amend section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, relating to tobacco acreage allotments;

H. R. 11399. An act relating to price support for the 1958 and subsequent crops of extra long staple cotton;

H. R. 12052. An act to designate the dam and reservoir to be constructed at Stewart Ferry, Tenn., as the J. Percy Priest Dam and Reservoir;

H. R. 12164. An act to permit use of Federal surplus foods in nonprofit summer camps for children;

H. R. 12521. An act to authorize the Clerk of the House of Representatives to withhold certain amounts due employees of the House of Representatives;

H. R. 12586. An act to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury;

H. R. 12613. An act to designate the lock and dam to be constructed on the Calumet River, Ill., as the "Thomas J. O'Brien lock and dam";

H. J. Res. 382. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; and

H. J. Res. 577. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and joint resolutions of the House of the following titles:

H. R. 7898. An act to revise the authorization with respect to the charging of tolls on the bridge across the Mississippi River near Jefferson Barracks, Mo.;

H. R. 8054. An act to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska;

H. R. 11424. An act to extend the authority of the Secretary of Agriculture to extend special livestock loans, and for other purposes;

H. R. 12088. An act extending the time in which the Boston National Historical Sites Commission shall complete its work;

H. J. Res. 551. Joint resolution for the relief of certain aliens;

H. J. Res. 576. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 580. Joint resolution for the relief of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 12716. An act to amend the Atomic Energy Act of 1954, as amended.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. ANDERSON, Mr. HICKEN-

LOOPER, Mr. BRICKER, and Mr. GORE to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 1061) entitled "An act to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. ERVIN, and Mr. WATKINS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6306) entitled "An act to amend the act entitled 'An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes."

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 13. An act for the relief of Hsiu-Kwang Wu and Hsiu-Huang Wu;

S. 495. An act to authorize the acquisition of the remaining property in square 725 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate or for the purpose of addition to the United States Capitol Grounds;

S. 2158. An act relating to the procedure for altering certain bridges over navigable waters;

S. 2262. An act for the relief of Hasan Muhammad Tiro;

S. 2517. An act to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes;

S. 2850. An act for the relief of Maria Pontillo;

S. 2860. An act for the relief of Miss Susana Clara Magalona;

S. 2936. An act for the relief of Feofania Bankevitz;

S. 2941. An act for the relief of John Favia (John J. Curry);

S. 2943. An act for the relief of Letitia Olteanu;

S. 2964. An act granting the consent and approval of Congress to a compact between the State of Connecticut and the State of Massachusetts relating to flood control;

S. 2983. An act for the relief of Bernabe Miranda and Manuel Miranda;

S. 3010. An act for the relief of Jose Marарac;

S. 3021. An act for the relief of Stanislawa Wojczul;

S. 3042. An act for the relief of Miss Allegra Azouz;

S. 3053. An act to authorize the Secretary of the Army to convey certain real property at Demopolis lock and dam project, Alabama, to the heirs of the former owner;

S. 3130. An act for the relief of Georgios Papakonstantinou;

S. 3131. An act for the relief of Amile Hatem and Linda Hatem;

S. 3137. An act for the relief of Mathilde Gombard-Liatzky;

S. 3139. An act to repeal the act of July 2, 1956, concerning the conveyance of certain property of the United States to the village of Carey, Ohio;

S. 3142. An act to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the act of June 24, 1948 (62 Stat. 644), and for other purposes;

S. 3192. An act for the relief of Edeltrand Maria Theresia Collom;

S. 3276. An act for the relief of Carl Ebert and his wife, Gertrude Ebert;

S. 3300. An act for the relief of Jean Andre Paris;

S. 3305. An act for the relief of Adamantia Papavasiliou;

S. 3354. An act for the relief of Fuad E. Kattuah;

S. 3392. An act establishing the time for commencement and completion of the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock Island, Ill.;

S. 3421. An act for the relief of Alexander Nagy;

S. 3431. An act to provide for the addition of certain excess Federal property in the village of Hatteras, N. C., to the Cape Hatteras National Seashore Recreational Area, and for other purposes;

S. 3469. An act to authorize the Secretary of the Interior to amend the repayment contract with the Arch Hurley Conservancy District, Tucumcari project, New Mexico;

S. 3475. An act for the relief of Florentino Bustamante Bacaoan, yeoman, second class, United States Navy;

S. 3524. An act to change the name of the Markland locks and dam to McAlpine locks and dam;

S. 3569. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by the State of Utah;

S. 3677. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments;

S. 3833. An act to provide for a survey of the Coosawhatchie and Broad Rivers in South Carolina, upstream to the vicinity of Dawson Landing;

S. 3873. An act to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds; and

S. Con. Res. 92. Concurrent resolution withdrawing suspension of deportation in the case of Jesus Angel Moreno.

## CONFERENCE REPORT ON H. R. 11574

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the conferees on the bill H. R. 11574 have until midnight tonight to file a conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## TAX RELIEF FOR SMALL BUSINESS: ACTION NOW ON THE FREIGHT EXCISE TAX

Mr. UDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, the conferees have been appointed, and the conference committee will meet this week on legislation passed by both Houses to extend corporate and excise tax rates.

By an overwhelming vote last week the other body passed two amendments to eliminate the recession-producing excise taxes on freight and passenger travel. By adopting these amendments the other body in effect gave the highest priority to the elimination of these discriminatory taxes, and my conversations with members of this body indicate that this sentiment is equally shared in the House.

Mr. Speaker, obviously compromise should be the order of the day, and I urge that the conferees accept one of the Senate amendments—the freight excise—and reject the other as a reasonable solution of this issue.

The tax burden imposed by this iniquitous levy falls heaviest on new and small businesses. Moreover, in its operation it is a discriminatory tax which penalizes producers and businessmen in the West, South and Middle West who are remote from our major national markets.

Again, Mr. Speaker, I urge that the path of reasonable compromise be followed by the conferees and the Congress.

## CONDITIONS OF EMPLOYMENT IN THE CANAL ZONE

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1850) to adjust conditions of employment in departments or agencies in the Canal Zone, with House amendments thereto, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MURRAY, YOUNG, HEMPHILL, SCOTT of North Carolina, REES of Kansas, CUNNINGHAM of Nebraska, and DENNISON.

## PROGRAM FOR TODAY

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I take this time to inquire of the majority leader concerning the program for today.

Mr. McCORMACK. Mr. Speaker, I had announced previously that the mutual security conference report would be brought up today. Instead it will be taken up tomorrow. The rest of the program is as previously announced, the legislative appropriation bill and the organized sports bill.

Mr. MARTIN. The legislative appropriation bill will be taken up first?

Mr. McCORMACK. That is correct.

Mr. MARTIN. I thank the gentleman.

## LEGISLATIVE BRANCH APPROPRIATION BILL, 1959

Mr. NORRELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 13066) making appropriations for the legislative branch for the fiscal year ending June 30, 1959, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Washington [Mr. HORAN] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 13066, with Mr. WALTER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. NORRELL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, before proceeding to explain the bill under consideration, I should like to extend my sincere thanks to the members of my subcommittee for their cooperation. The gentleman from Washington [Mr. HORAN], the gentleman from Ohio [Mr. BOW], the gentleman from Ohio [Mr. KIRWAN], and the gentleman from New York [Mr. ROONEY], have been extremely helpful and cooperative in conducting the hearings and writing the bill. Also to Paul Wilson, the clerk of the subcommittee.

Mr. Chairman, the legislative branch appropriation bill for 1959 as reported by the Committee on Appropriations carries a total of $96,942,113. Following the custom of the past, the bill omits appropriations for the Senate including certain items under the expenditure supervision of the Architect of the Capitol but which relate solely to the Senate. Such items will be added when the bill reaches the other body. The bill before us is $968,386 below the budget requests of $97,910,499, but it is $17,941,708 above corresponding appropriations of $79,000,405 appropriated so far for fiscal year 1958.

Just in summary, $39,320,805 is included for items under the House of Representatives heading; $2,440,116 for certain joint offices and items set out in the bill; $27,845,225 for items under the Architect of the Capitol excluding, as I indicated, items relating solely to the Senate; $972,500 for the Botanic Garden; $12,368,277 for the Library of Congress; and $13,995,190 for Congressional printing and binding and for the Office of the Superintendent of Documents.

As appropriation bills go, Mr. Chairman, the legislative bill is not a big bill. It is not possible to make large economies in the requests, because much of it is irreducible if the legislative establishment is to properly operate. We have reduced the requests wherever we thought we could, and those reductions are covered by the report.

I want to say a word about the fairly large increase allowed above appropriations of the last year. The total increase is $17,941,708. Most of that is for investment in capital expenditures and not current operating expenses. The big item is an increase of $15 million to continue the additional House Office Building project and related improvements. Another significant item is $587,000 to tear down the old delapidated greenhouses down here at the Botanic Garden and construction of new greenhouses at the nursery over near the South Capitol Street Bridge. We have allowed a modest addition of new employees practically all of which are in the Library and the Government Printing Office and, as a matter of fact, a good part of those are in activities which are self-supporting or return a profit to the Treasury. They are also, in large measure, in the lower clerical grades. There are other numerous items, including mandatory costs which we have little choice but to allow.

Mr. Chairman, the committee report and the hearings which are available cover the details of the bill rather fully so I shall confine my remarks to brief comments on certain features of the bill which may be of particular interest.

### HOUSE OF REPRESENTATIVES

We have recommended a total of $39,320,805 for all items under the House of Representatives section. There is nothing particularly significant, I believe, in the small increase above 1958. I think we have allowed only four additional positions where the workload seemed to justify that action.

I think I mentioned this last year, but it may be of interest to repeat it. Members of the House, on their clerk-hire roll, do not come anywhere near hiring all the employees permitted by law. Furthermore, House committee staffs are a level somewhat below the total number authorized by law. There was quite a bit of discussion and consideration regarding the operation of the stationery room in the hearings and you will find some comment on that in the report. The stationery room has accumulated some profit from operations and we have called that situation to the attention of the Committee on House Administration in regard to the matter of setting of prices charged against Members' stationery allowance.

### VARIOUS JOINT OFFICES AND ITEMS

For the various joint offices and items, as set out in the report, a total of $2,440,116 is recommended. Practically all of the increase above 1958 is for mandatory requirements of reimbursing the Post Office Department for the cost of mailings in fiscal year 1957.

As we point out in the report, we have changed the arrangement for appropriating for the office of the legislative counsel to conform more closely to the custom of many years of omitting Senate items from the House bill.

Two of the appropriations in support of the Capitol Police Force are included under this general heading, to reimburse the District of Columbia for additional police assistance furnished to the Congress. There has been a good deal of discussion in the hearings and elsewhere concerning the Capitol Police Force. I am certain you are all familiar with it.

### ARCHITECT OF THE CAPITOL

For all items coming under the Architect of the Capitol in this bill, a total of $27,845,225 is recommended. We made several reductions as explained in the report. There is a large increase, specifically, $15,007,125 above 1958, and this is accounted for almost entirely by the additional funds to meet obligations accruing in connection with the additional House Office Building project. We appropriated $7,500,000 for that in 1958, and this bill includes $22,500,000. The Congress has heretofore appropriated $22,500,000 for this project. The amount in this bill would make the total $45 million, which, in approximate and round figures, would represent nearly half of the present total estimated cost of all the work. The project, as you know, has been and is proceeding under an indefinite contract authority previously granted, the control of which is under the House Office Building Commission. I will not undertake to go into the details of the project, but if you want an up-to-date statement, I would suggest that you look at pages 133–143 of the printed hearings. That gives the picture up to the moment.

I should also mention that for the extension of the east front of the Capitol, about which we hear a good deal, there are no funds in the bill for that project. No funds were requested. A total of $17 million has heretofore been appropriated for all of the work, including that related to the extension and if you will look at the hearings you will find that the sum previously made available is estimated to sufficient to cover all items of work approved by the Commission which has jurisdiction. That is all shown on pages 149–151 of the hearings.

We have recommended a total of only six additional personnel in all the operations under the Architect of the Capitol and these are explained on page 5 of the committee report.

### BOTANIC GARDEN

There are two items of significance under the appropriations for the Botanic Garden. One is an addition of $100,000 to replace the wiring and other work in the main conservatory where the high humidity and constant moisture conditions have taken their toll after some 25 years.

The other is $587,000 to tear down these old greenhouses here at the foot of Capitol Hill and replace them with new ones over at the nursery near the South Capitol Street Bridge. The existing greenhouses are over 75 years old, they are unsafe and inefficient and costly to maintain, and they are also an eyesore on the Capitol landscape.

### LIBRARY OF CONGRESS

We have a great library across the street in the Congressional Library. It is the world's largest. It is an important institution. Its collections continue to grow and the demands on it continue to grow. It, as I mentioned last year, is used extensively by the Congress, the

public, the Government agencies including the military and security agencies. They have had a chronic backlog situation over there. They have not been able to keep up with processing of the ever-increasing and inevitable increase in workload. They are crowded for space. Probably one of the greatest needs is a new building, and fairly soon. Otherwise they are not going to have any place to put the constant flow of materials and papers or the necessary personnel to handle and service them. We mention that in the report, although the provision of a building is not within our jurisdiction.

We have tried to make reasonable provision to keep the Library in good order. We have allowed some additional personnel in the last few years. The Library wanted more and we have allowed some, but not all they asked for. In round figures, I believe we have allowed them about 40 additional people. I should point out that many of these are in the lower clerical grades and furthermore, some of them are in the Copyright Office and in the Catalog Card Service both of which make money for the Treasury.

We have increased the Books for the Blind program, a very worthy undertaking, in line with the increased authorization of last year.

There is a new item in the bill that you might be interested in. It provides for organizing and microfilming the papers of 23 Presidents of the United States—papers that are in the collections and in the possession of the Library. It will take several years to do the work. The Library wanted the full amount appropriated at the outset, but we have thought it better to appropriate only the amount needed for the first year so that we can take a look at it each year and see what additional funds are necessary as the work progresses.

GOVERNMENT PRINTING OFFICE

Mr. Chairman, the last section of the bill has to do with Congressional printing and binding and with the Office of the Superintendent of Documents. We have allowed the full request for printing and binding, which is $700,000 above the 1958 appropriation to replace a similar amount borrowed from the 1958 funds to cover all the requirements for fiscal year 1957 so that there is really no actual increase reflected in the amount of printing.

The Office of the Superintendent of Documents is a service organization. Its biggest single activity is the sale of Government publications. The demand is increasing and they make money for the Treasury on that operation. They asked for 11 additional clerical employees and we have allowed them.

I might say that the Public Printer asked us to include language to permit construction of a new warehouse building as an annex to the main plant. We did not put it in the bill because it is not authorized by law although it looks like a good economical project that will pay for itself in savings on rental and other expenses in a reasonable number of years. But as I say, there will first have to be an authorization bill in the regular order and then I am certain the Committee would be glad to consider a request for appropriation.

Mr. Chairman, I believe that covers the principal highlights of the bill although I may have missed 1 or 2 and would be glad to respond to any questions if I can do so.

The CHAIRMAN. The gentleman has consumed 8 minutes.

The gentleman from Washington [Mr. HORAN] is recognized.

Mr. HORAN. Mr. Chairman, I take this time only to say that we had full and complete hearings on this measure when it was before the committee. We had complete unanimity in the subcommittee, and I agree in everything the chairman has said. I yield 10 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, this morning I desire to discuss briefly a matter which I believe concerns the legislative branch of our Government and those who serve here. I have great regard for this House of Representatives and I have great regard for all who serve here, on both sides of the aisle. I believe in the necessity to retain the integrity of the House of Representatives, so that this House may work its will and decide on legislation in the best interests of the country and upon the details and hearings which are submitted to its committees, and then upon debate upon this floor.

I am fearful, Mr. Chairman, that there is a growing tendency of other branches of government, particularly the executive branch of the Government in its attempt to pressure the Congress of the United States in its decisions. This has become very obvious in two recent cases. One is now water over the dam and is now disposed of, the reciprocal trade program, and it went through this House by a substantial vote. I should, however, like to point out that the State Department in its zeal to have this legislation passed published a number of brochures, circulated them throughout the United States, telling but one side of the story. But more immediate is the appropriation that soon will be coming out on the foreign aid bill, and I should like to discuss that with you briefly. On May 22 and May 23 here in Washington was held what was called the spring conference for nongovernmental organizations on foreign policy.

I have here in my hand a Department of State program for that conference. I also hold in my hand, and I am sure my colleagues can see it, these pages that list the hundreds of organizations of all kinds who were called here to Washington for this spring conference, many organizations, many people to represent them. The idea was, or the story at least, that they were supposed to tell the officials here what they think about what is going on; but if you will read the program and then if you will turn to the speeches made, you will find that that was not the case, that the executive department and the individuals down there were telling the people what they should think and what they should tell to the Congress of the United States.

Mr. Chairman, as I say, they were not told what the people of the country were thinking, but the people of the country were being told what they should think. And that was true of the reciprocal trade program and the pamphlets that went out. I raised a question about that.

I wrote a letter to the Department, asking by what authority they published these brochures and received back a letter in which they said it was under title 44 of the General Code. I examined title 44. It has 11 chapters and 391 sections. I read them all, and I wrote back and said I could not find anything there which would authorize this to be done.

Then I got a letter back saying it was under title 5.

After receiving their reply I examined title 5 without finding it, and I wrote them another letter saying that I did not find it there either.

Mr. Chairman, I have in my hand a number of speeches that were made at this spring conference where the delegates were supposed to tell the officials in Washington what they were thinking. I am not going to read them, nor am I going to insert them all in the RECORD at this time, although I may at some later date.

I want to read to you one particular statement, and there are many other similar ones. This material that was sent up to me says that it is background material, not to be attributed to the State Department. But it all came from there.

I am going to read to you now, Mr. Chairman, from a statement made by the Honorable John Foster Dulles, Secretary of State. Understand this material says it is not to be attributed to the State Department. This is a statement, made after he had been talking on the question of foreign aid and, remember, he is speaking to this group of some hundreds of people brought into Washington, representing various organizations that would undoubtedly go into the thousands of people throughout the country.

This is what Mr. Dulles says:

I hope that all of you and all whom you can influence will make their influence felt upon the Congress at this time. It looks as though we would get a reasonably adequate authorization bill for the mutual security program, but it is one thing to get the authority and it is another thing to get the money. And when it comes to the Appropriations Committee, that is where the real test comes for the real foes of the mutual security program do not exert themselves to the full against the authorization legislation. They reserve their battle for the appropriations, and that will not be coming along yet for some weeks. So I beg of you not to be misled into thinking that the battle is won if there is an adequate authorizing bill enacted. The important thing is going to be when we get to the appropriations.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Louisiana.

Mr. PASSMAN. The great extent of the pressure applied and the type and variety of the tactics used by the State

Department and many of its representatives, all the way from the top to the lower echelons, are almost unbelieveable. I shall not attempt here to detail for the record the actions of the various individuals and pressure groups which have been calculated to force members of the Committee on Appropriations and the Congress to yield to their will.

But I say, without fear of successful contradiction, that if the Members of this House will study carefully the printed hearings of the Subcommittee on Foreign Operations Appropriations for the year 1958, dealing with the appropriations for the fiscal year 1959, they would not be inclined to appropriate one thin dime to continue this program until a complete investigation has been made and substantial corrective measures have been put into effect.

I sincerely hope that the Members of the House will avail themselves of the opportunity to read the hearings, to ascertain for themselves also the weak cases that have been made in connection with many of the requests for appropriations for the program.

May I say that I shall support the appropriation bill in an amount adequate to fulfill the commitments of this country. What we want to do, and what we should do, is to take out the difference between the requests and the actual needs to carry out these commitments of our Government to other countries.

I thank the gentleman from Ohio, who is among many other Members recognizing and properly identifying the tremendous pressure that has been brought to bear, and its being continued, by the State Department in an effort to obtain all of these funds, whether or not they are reasonably needed and justified.

Mr. BOW. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Iowa.

Mr. GROSS. May I ask the gentleman when this so-called spring conference was held?

Mr. BOW. May 22 and May 23, 1958, in Washington.

Mr. GROSS. Then this was in addition to the propaganda job that Eric Johnston engineered earlier this year, in February, I believe.

Mr. BOW. That is correct, and which cost the Federal Government at least $7,500.

Mr. GROSS. I thank the gentleman.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield further?

Mr. BOW. I yield.

Mr. PASSMAN. Mr. Eric Johnston has admitted that appropriated funds of at least $7,000 were used toward defraying expenses of this particular clambake held in Washington on February 25.

Mr. BOW. I will say to the gentleman that some money for this conference was taken out of the appropriated funds, and that is the point I want to make. Somebody downtown seems to be forgetting the fact that title 18, section 1913, makes it a criminal offense to use appropriated funds to lobby the Congress of the United States or to put pressure on the Congress. The gentleman from Michigan [Mr. HOFFMAN], in the 80th Congress, as chairman of the Committee on Government Operations at that time, through a subcommittee that went into this matter many times, pointed out the abuses at that time of this propaganda and pressure by the executive branch against the Congress.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Michigan.

Mr. HOFFMAN. What is the difference in principle between what Mr. Adams is charged with doing and what the State Department admits they have been doing all the time—not once in a while but all the time over the years? Now, right or wrong, what is the difference in principle?

Mr. BOW. Well I cannot say to the gentleman what the difference is. I am pointing out the fact that this is going on. I have the highest regard for this House; it is a great honor to serve here, and I believe we must preserve the integrity of the House and I think we must expose these things when people attempt to use this kind of influence, instead of having hearings and the regular procedures of Government regulations. I think we have to raise the question and see that this sort of thing is stopped.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield further?

Mr. BOW. I yield.

Mr. HOFFMAN. All right. Goldfine is being criticized because of paying hotel bills and other bills. I am not saying anything about that; that is for Mr. Adams to decide. But, in principle, what is the difference—and, if there is, I would like to know what it is—between what the State Department does to exert influence on the Congress, using taxpayers' dollars, and the individual paying his own money?

Mr. BOW. I cannot tell the gentleman the difference.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from West Virginia.

Mr. BAILEY. I want to commend the distinguished gentleman from Ohio for his very excellent statement. I would like to ask him his reaction that we amend the Lobbying Act and require the several State Departments to register under that act as lobbyists.

Mr. BOW. I think we already have sufficient law in the criminal code. If we can stop it with what the gentleman suggests, I will go along with the gentleman.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, what is the Justice Department doing about the use of the $7,000 already taken out of the United States Treasury for lobbying purposes on the part of the State Department?

Mr. BOW. Since the 80th Congress went into this and exposed it, nothing was done. The statements are there.

Mr. Chairman, I bring this to the attention of the House because I feel some action should be taken, and I think notice should be served on all agencies that this House is going to maintain its integrity; that we will work our own will and not yield to this kind of influence brought upon us, regardless from what source it may come.

Mr. NORRELL. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, I have asked for this time in order that I might discuss with the membership the provision which appears on page 10 of the bill. In connection with the Capitol Police Force, this provision was offered by me in the full Committee on Appropriations and adopted. I quote:

*Provided further*, That after September 1, 1958, no part of these funds may be used for payment of any salary to any chief of Capitol Police who has been detailed from the Metropolitan Police Force or any other police force.

Mr. Chairman, I offered this amendment after listening to the testimony of various members of the Committee on Appropriations on the present deficiencies in police protection at the Capitol. I was not then acquainted with the present chief of Capitol Police.

But I think definitely that anyone who had listened to the various Members discussing the problems we have here on Capitol Hill could not help but believe that there was general agreement that we had not had the amount of supervision at the top level that the situation and the police force requires.

As the Members know, most of the Capitol Police are appointees of Members of Congress, though I personally have recommended none. It is my opinion that they are a high-class, fine group of young men. I have the statement of the present Chief of Police that their I. Q.'s, their abilities and capacities far exceed those of an equal number who might be recruited by any metropolitan police force. But by reason of that kind of appointment, it makes it more essential that proper attention be given at the top level to coordinate, to set up a proper means of administration of the duties of a Capitol Police Force.

Mr. Chairman, I would not attempt to repeat to the membership every statement that was made in the committee, neither will I use names. But it was pointed out that on Capitol Hill, particularly during the wintertime, virtually at no time could you find any member of the Capitol Police Force supervising in any way the parking lots in the period 5 to 8 o'clock p. m. Yet many single ladies who work here on the Hill have to go to those lots to get to their cars at night. Most of you Members know of the frequent loiterers. My attention has just been called to the fact that only last week a Member of Congress who had his car parked between the 2 office buildings came back to find that the front of his car had been jacked up and 2 wheels carried off. Not only that, but there are many other incidents which have occurred around here to indicate that proper supervision has not been given.

In voicing these facts it was related to the committee that the present chief of police was a retired member of the Metropolitan Police Force. May I say again that I was not acquainted with the gentleman. But certainly it sound-

ed like someone who was taking his job rather easily. I feel that with the type of high-caliber young men we have here, many of whom are not here for a long period of time, we needed an active man who wanted to keep the job that he had, and run it properly, instead of someone who had retired and was just waiting for a period of time until he could retire finally, or one who would go back to his regular job any time he got ready.

Various Members agreed that something should be done, but what could we do? So I offered this amendment to point up the situation. It was accepted on that basis.

May I say that when I offered the amendment I said to the subcommittee that if they could work this matter out with the present chief of police it was agreeable with me. Since the amendment was offered Chief Pearce has been to my office; not that I felt that he owed me anything, but I appreciated his coming so that I could relate to him the various criticisms that had been heard on every hand, particularly on this side of the Capitol.

I pointed out that in my judgment at least he could arrange with the FBI to provide a few days a month of training to these young men; that he could himself instruct or lecture these men, which he has not been doing, in small groups, weekly. He agreed that he would give attention to meeting these suggestions. I suggested by having a change in hours he could have members of the force about the building and at the parking lots in the early evening hours.

Mr. Chairman, in view of the fact that we have shown what the situation is, that improvement is required, and in view of the fact of the assurance of Chief Pearce, personally I would have no objection if an amendment were offered to strike out that proviso in this year's bill. I am perfectly willing to give an opportunity to meet these needs.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. WHITTEN. I yield to the gentleman from New York.

Mr. ROONEY. Mr. Chairman, I wish to say to the distinguished gentleman from Mississippi that I have prepared an amendment which would strike out the gentleman's proviso which was added to the bill in the full committee meeting, and which I opposed at that time. I am grateful to the distinguished gentleman for his announcement that he will support this proposed amendment, particularly since there are a great many important and necessary items in this paragraph of the bill with regard to the Capitol Police Board which concern the detectives detailed by the Metropolitan Police Department who are assigned to the galleries of the House and the other body; and it certainly would be a more orderly process if we continued with the original provisions in this paragraph as reported by the subcommittee. Further, I do not believe in such precipitous action as is called for with regard to Chief Pearce.

I wish to thank the gentleman from Mississippi.

Mr. WHITTEN. I thank the gentleman for his statement. Of course, I could offer the amendment as a new section where it would not be subject to a point of order. I do not intend to do that.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Washington.

Mr. HORAN. Mr. Chairman, I also want to add my thanks, from this side, for the gentleman's statement.

Mr. WHITTEN. May I say again that my purpose in offering this was to point up the fact that unless we had such proper supervision the Congress was not helpless to bring it about. My further purpose was to bring about the needed changes. Expressing my own willingness to accept the amendment, I do so relying on the representations of Chief Pearce that these matters will be remedied. Unless something is done we may wake up with another very serious crime in our midst. If they can steal the front wheels off a Member's car between the two office buildings and nobody hears about it until the Member reports it the next day, it has reached serious proportions.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Washington.

Mr. HORAN. It is quite apparent to those of us on the subcommittee that, while it is a patronage force, we have very intelligent men up here. We have about 35 men who make up the core of the force. But it is quite apparent to us that it is quite impossible to give them what the Metropolitan Police have, three months of specialized training. The main thing we have to have up here, in my opinion, is on-the-job training. That requires the Chief of the Capitol Police to be on the job all the time that he is here, visiting each station around the Capitol and talking to the boys. They are smart; they can understand. Largely their job is not chasing criminals, it is being diplomatic and keeping things in order here. The key to it is having a Chief of Police that is on the job and working with his boys all day long. That is the point we are trying to get at.

Mr. WHITTEN. May I add to that that it is my own observation, and I reflect the opinion of many people who have talked to me, including members of the Appropriations Committee when this bill was being considered, that the allocation of a number of policemen, from the period of about 5 o'clock to 8 or 8:30 around the buildings and on the lots, with some of these cars they have, patrolling the area at night, something heretofore lacking, would prevent these things that have happened; and much worse could happen unless we do something along that line. That would be easy to do.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Maryland.

Mr. HYDE. I am happy to hear that the gentleman from Mississippi has agreed to striking that proviso from the bill, because it is my opinion that such a proviso might do great damage to the reputation of a fine police officer, who has some 35 years of great reputation as a member of the Police Force of the District of Columbia. I think it might be advisable for the House to look into the question of the rules and regulations under which our Capitol Police are administered. There may be something wrong with those, there may be something wrong with the method of appointment, there may be something wrong with the requirements of the time they spend on duty or the allocation of the different men to different times. There may be other things wrong we should look into. I am happy the gentleman is going to agree to this so we will not damage this man's reputation.

Mr. WHITTEN. May I say again, I was not acquainted with Chief Pearce. This certainly is not directed to him as an individual, but may I repeat again that this could become necessary in the future because, despite the 35 years of distinguished service I am sure he has, when a man reaches the age of retirement and could retire some place, it is mighty easy for him to take this as just a sideline and not give it the attention that a man who is hired for the job, dependent upon it, would give it.

If you read the Washington Star, when he was asked about this he said it made no difference to him. I would say that it should make some difference to any man in charge of the police force. The Chief has since assured me it is important, that it does make a difference to him, and he will do something about it. But I do not want somebody coming here just to graze after a long and distinguished service some place else. I am relying on him, but if we do not get action from him certainly we need to do something in the future to get it.

Mr. HYDE. I understand Captain Pearce is not retired, he is still on the active force.

Mr. WHITTEN. That is what I have learned.

Mr. HYDE. Does not the gentleman from Mississippi feel that the person who is over the Chief, whoever in this body is over the Chief of Police, should order improvements to be immediately put into effect?

Mr. WHITTEN. May I say I think this amendment being offered and adopted will go a long way to give us some improvement, and I have been assured that we will have such improvement.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. BATES. Mr. Chairman, I want to congratulate the gentleman for his attitude in this matter. I have known Chief Pearce for a good many years. He is a fine gentleman and an excellent police officer. I think basically all of us would admit that on Capitol Hill the problem is the system even more than the individual. I am happy to know that he conferred this morning with the gentleman who is now addressing us and

I feel that this matter will be worked out.

Mr. LANE. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. LANE. Mr. Chairman, I, too, wish to join my colleagues in congratulating the gentleman from Mississippi for his fairness and his consideration with reference to this particular line that he inserted in this section of the bill. I know the gentleman from Mississippi wants to do what we all want to do and that is to have as good a Capitol Police Force as possible here. I am satisfied the gentleman from Mississippi through his suggestions and recommendations will help to benefit the police force that we have here on the Hill. As I say, Chief Pearce is not retired. Of course, as is well known he is on leave here and loaned to us here on Capitol Hill as Chief of our Capitol Police Force. As the gentleman from Mississippi has stated, he has had 35 years of excellent service on the Metropolitan Police Force starting as a private and through civil service competitive examinations rising until now he has achieved the civil-service status of a deputy chief of the Metropolitan Police Force. I am satisfied that this little discussion we have had here today and through the wording that has been put into this bill by the gentleman from Mississippi, and as a result of some of the advice that has been given to all of us here by the gentleman, it will go a long way to restore the kind of service we want. Again, I compliment the gentleman for bringing this matter to our attention and I thank him most sincerely for his fairness and kind and thoughtful consideration for the present occupant of this position.

Mr. WHITTEN. I thank the gentleman. Mr. Chairman, may I say in conclusion, certainly this was not meant to be personal with reference to Chief Pearce because, as I have stated, I did not know him personally previous to this time. I accept the statements made here about his long and distinguished service on the city police force. Also, when this amendment was offered, I had been told by members of the Committee on Appropriations that he was retired. Subsequently, it developed that he was not retired. But, this amendment was sent up when I had every reason to believe he was retired and that action was not directed to him as an individual. But, certainly, the head of our Capitol Police should not be somebody who can retire somewhere else and just be here marking time, so to speak. He must do a job here; as the fact developed that he was not retired and, as I say, he has told me that he can meet these problems which certainly do exist, under the circumstances, I would have no objection to the amendment.

The CHAIRMAN. The gentleman from Mississippi has consumed 14 minutes.

Mr. HORAN. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I take this time to ask someone on the committee whether there are funds in this bill to provide for remodeling of the Congressional Hotel?

Mr. NORRELL. Yes, there are funds in this bill for that purpose.

Mr. GROSS. I wonder if the chairman of the subcommittee would be opposed to an amendment which I am prepared to offer to provide that no funds be expended for remodeling the Congressional Hotel until the new House Office Building is ready for occupancy? It does not seem to me to be good business to spend a lot of money remodeling the Congressional Hotel and move a substantial number of Members of the House to that structure, separated as it is from all of the other facilities incidental to the operation of the House of Representatives. Why not wait until after the new office building is completed before doing that?

Mr. NORRELL. The decision as to the remodeling is under the jurisdiction of the Commission and not under the jurisdiction of the Appropriations Committee. Therefore, it would be impossible for me to agree to such an amendment as is suggested by the gentleman.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. VINSON. As a member of the House Office Building Commission, I trust the gentleman will not offer such an amendment. Of course, we are conscious of the fact that it might cause temporarily some embarrassment or some inconvenience, rather, for some Members. As I stated, I trust the distinguished gentleman will not offer such an amendment. Our distinguished Speaker is the Chairman of the House Office Building Commission.

The distinguished gentleman from New Jersey [Mr. AUCHINCLOSS] is also a member, as well as myself. We do not want to cause any embarrassment or inconvenience to any Member, but we do not think that any limitation of this character should be imposed upon us, because we must have flexibility to work out what is best and proper. If you do that you will embarrass the Commission to the extent that we will be restricted and we may not accomplish what we want to.

Mr. GROSS. I have every respect for the Speaker and for the gentleman from Georgia [Mr. VINSON], but there is going to be a lot of inconvenience for Members who are moved into this hotel.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GROSS] has expired.

Mr. HORAN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. GROSS. I thank the gentleman.

Mr. VINSON. Of course, the House has committed itself to build a New House Office Building, and also to repair the Old House Office Building, and also for the acquisition of property adjacent to those two buildings. We are trying to work it out whereby we can repair the Old House Office Building, get that out of the way, and then go to the New House Office Building and at the same time carry on the building of the new office building.

Mr. GROSS. I know exactly what you are out to do.

Mr. VINSON. If you do what we have in mind it would increase the program for at least 2 or 3 years. We do not want to do that. We want to get along in an orderly way and try to make these improvements which are demanded. Your responsibility as a Member of the House requires that you have more space in your office to carry on your business.

Mr. GROSS. No. I do not need it.

Mr. VINSON. Well, some Members have more work than the gentleman, but he himself needs more space.

Mr. GROSS. No; I do not. I did not vote for your New House Office Building and the gentleman knows I did not vote for it. Furthermore, I am not about to be made happy by being moved into that hotel. I tell you that.

Mr. VINSON. It all depends when this goes through whether you will be moved.

Mr. GROSS. Can the gentleman give me assurance that I will not be moved?

Mr. VINSON. Well, I could not do that, because that would not be proper. We do not intend to do it all at one time. We are trying to put a garage in there. We are trying to take into consideration one job at a time, and then use for the time being the Congressional Hotel.

Mr. GROSS. Yes.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman from Iowa yield?

Mr. GROSS. I yield.

Mr. ROONEY. Would the gentleman from Iowa permit me to remind the distinguished gentleman from Georgia [Mr. VINSON] that the costs of this whole project, including the new additional House Office Building, the remodeling of the Old House Office Building, the new cafeteria in the courtyard of the New House Office Building, remodeling of the Congressional Hotel, and such have already been obligated by the end of this month to the extent of approximately $35 million. This is no time to turn around.

I should like to point out that there is testimony contained in the printed hearings that the incoming new Members in the 86th Congress will be assigned office space in the Congressional Hotel. The gentleman from Iowa has such seniority that he should practically be able to pick out his own spot in either the available part of the Old House Office Building or in the New House Office Building.

Mr. VINSON. I am grateful to the gentleman from New York for calling that to my attention.

Mr. GROSS. Apparently I have assurance from the gentleman from New York that I did not get from the gentleman from Georgia.

Mr. Chairman, the record will show that I stood almost alone in my opposition 2 or 3 years ago to the spending of millions of dollars for the construction of a new House Office Building and remodeling of the present structures. My attempts to economize then were unsuccessful and there is little reason to believe I will have any more success today.

I am reliably informed that with the funds appropriated in this bill that the

total made available thus far for the new House Office Building, remodeling and land acquisition will total some $88 million.

That is a sad commentary on spending by the House in this day when we are confronted with deficit spending that will carry the Federal debt to near the $300 billion mark. I am opposed to this kind of spending and let the record show it.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GROSS] has again expired.

Mr. VINSON. Mr. Chairman, will the gentleman yield me a minute or two?

Mr. NORRELL. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. I wish to finish the statement I was making to the gentleman from Iowa. As I said, the Speaker is not able to be here to take part in this debate, so he requested me to be on the floor to answer any questions Members might raise.

It is my understanding that the new Members will have quarters that will be made available in the Congressional Hotel. It will therefore not cause any inconvenience to the Members now serving in the House.

Mr. VURSELL. Mr. Chairman, will the gentleman yield for a question?

Mr. VINSON. I yield.

Mr. VURSELL. When is it intended to commence remodeling operations on the Old House Office Building?

Mr. VINSON. The First Street wing will be the one to be remodeled to commence with. Here is what Mr. Stewart said:

> The plan is to house 75 or 80 new Congressmen in the Congressional Hotel; to vacate suites in the First Street wing of the present Old House Office Building and then start the remodeling of that wing.

Frankly, I do not know whether that is going to take my office or not.

Mr. VURSELL. Will work begin this year or next year?

Mr. VINSON. It will begin some time this year.

If the House will bear with the Commission and not try to embarass us, we will do the best we can to see that the least inconvenience possible is caused any Member. We are going to try to work out some plan that will be of no real inconvenience to any Member of the House.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. GROSS. What happens if there are not 80 new Members?

Mr. VINSON. The Clerk advised me that the record shows there is an average of about 80 new Members each Congress.

I thank the gentleman.

Mr. NORRELL. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Chairman, I wanted to have a word to say about this provision, regarding the taking over of the Congressional Hotel. I notice in this appropriation before us today an additional $22 million for this made work project in progress around the Capitol grounds here.

I think the entire membership is familiar with my position last year, but I want to remind the Commission as represented here by the gentleman from Georgia, that in the first place this hotel was taken over without any knowledge, on my part at least and most of the House membership, 2 years ago. The thing that disturbs me is how this Commission takes over all this property and makes these purchases without anybody knowing about it except possibly the Appropriations Committee and this Commission of three.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. WIER. I yield.

Mr. VINSON. All the authority the Commission has is given to it by Congress. The House knows what we are doing. Mr. Stewart, the Architect, filed a report with the Speaker. We can act only under authority vested in us by law.

Mr. WIER. Let me add that last year was the first indication that was brought to this House that the Congressional Hotel had been purchased. I have an interest in that; I live there. The thing that disturbs me about this whole affair is that there has been so much secrecy.

Mr. VINSON. I am certainly sorry the gentleman is disturbed. However, we can do only what is authorized by law. We were authorized to acquire property adjacent to the House Office Building. We have acquired property adjacent to the House Office Building, and we could not have done it, could not have had any appropriation to do it unless the House were conscious of the fact.

Mr. WIER. Then I would like to know where there is this great demand that has been spoken of. I think I have made my position clear; I think I did it last year. If we are going to be forced to have additional office space, leave me have my present two office rooms on the fourth floor, or why not make a bedroom out of the additional space as long as you are intent on making me vacate my quarters in the Congressional Hotel? I have no use for a third office unless to store my Congressional trunks or something like that. I see no need for this three-man Commission to have taken over the Congressional Hotel under any circumstances. It just does not make sense to me.

Mr. NORRELL. Mr. Chairman, I have no further requests for time on this side.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

CAPITOL POLICE BOARD

To enable the Capitol Police Board to provide additional protection for the Capitol Buildings and Grounds, including the Senate and House Office Buildings and the Capitol Power Plant, $89,236. Such sum shall be expended only for payment for salaries and other expenses of personnel detailed from the Metropolitan Police of the District of Columbia, and the Commissioners of the District of Columbia are authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board and is authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detail personnel shall be made to the government of the District of Columbia, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and shall be available for all the purposes thereof: *Provided*, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person who was a member of such police on July 1, 1940, shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail: *Provided further*, That the Commissioners of the District of Columbia are directed to pay the lieutenants detailed under the authority of this paragraph the same salary as that paid in fiscal year 1955 plus $625 each and such increases in basic compensation as may be subsequently provided by law so long as these positions are held by the present incumbents and that the Commissioners of the District of Columbia are directed to pay the deputy chief detailed under the authority of this paragraph the same salary as that paid in fiscal year 1956 plus $600 and such increases in basic compensation as may be subsequently provided by law so long as this position is held by the present incumbent: *Provided further*, That after September 1, 1958, no part of these funds may be used for payment of any salary to any Chief of Capitol Police who has been detailed from the Metropolitan Police Force or any other police force.

Mr. HYDE. Mr. Chairman, a point of order.

Mr. ROONEY. Mr. Chairman, will the gentleman withhold his point of order?

Mr. HYDE. I will withhold the point of order.

Mr. ROONEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to address the Committee of the Whole in connection with the proposed amendment which I discussed a while ago with the distinguished gentleman from Mississippi [Mr. WHITTEN]. I now have that amendment at the Clerk's desk and it would if adopted strike out the Whitten proviso beginning in line 18 down to and including line 22, page 10, of the pending bill.

Since everyone present now seems to be in complete agreement with regard to the situation, if the distinguished gentleman from Maryland [Mr. HYDE] would withdraw his point of order upon the assurances of the author of this proviso, the distinguished gentleman from Mississippi [Mr. WHITTEN], we should then adopt the amendment which I now have at the Clerk's desk to strike out the proviso to which I have referred.

Mr. HYDE. The gentleman from New York then assures the committee that the full committee on appropriations is in agreement with the amendment that the gentleman will offer?

Mr. ROONEY. So far as I know. The committee has 50 members. I do assure the gentleman from Maryland that the distinguished gentleman from Arkansas [Mr. NORRELL], chairman of the subcommittee, and all the members of the subcommittee will accept the amendment which is presently at the Clerk's desk.

Mr. HYDE. Mr. Chairman, with that understanding I withdraw the point of order.

Mr. ROONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: On page 10, strike out the proviso beginning in line 18 down to and including line 22.

Mr. NORRELL. Mr. Chairman, on behalf of the subcommittee we accept the amendment in view of the understandings reached.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROONEY].

The amendment was agreed to.

Mr. COLMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I request this time to direct a question to the gentleman who is handling this bill or someone else who is qualified to answer, and that is about this Congressional Hotel that we have just been talking about.

In the first place, Mr. Chairman, permit me to say that I am one of those who is opposed to all of this unnecessary expenditure of funds for this new faced building program and all of this additional space. I do not think we need it. Now, I understand—and this is my particular question—that in connection with this project we are going to have a new tunnel from the Congressional Hotel over to the Capitol, and I would like to know if that is true.

Mr. ROONEY. Mr. Chairman, if the gentleman will yield, it is correct, I will say to the gentleman, that we are going to have a new tunnel, but from the Congressional Hotel to the Old House Office Building.

Mr. COLMER. My next question is this: My understanding is that the Congressional Hotel will be used only temporarily until the New House Office Building is constructed, and if that be true, then why go to all of the expense of digging a new tunnel from these temporary quarters over to the Capitol, when it is only going to be used temporarily? I am assuming that is correct.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Georgia.

Mr. VINSON. As a member of the House Office Building Commission, I will state to the gentleman that I think it will be at least 4 to 4½ years before we can move into the New House Office Building. It will take about that length of time to build it and get it in condition so that the Members can occupy it. In the meantime, the Members would have to have some place to carry on their official duties, and the Congressional Hotel will be used. And, it will have to be remodeled to meet the requirements, and I assure the gentleman that economy is going to be the guideline in the modifying of the building. But, the Members must have some place, or else you willl have to let the old House Office Building stand until the new building is finished.

Mr. COLMER. I do not think the gentleman answered my question. I am assuming now that the Congressional Hotel has already been purchased.

Mr. VINSON. That is right.

Mr. COLMER. And that you are going to go ahead with the plans. What I am getting at is why the necessity for this enormous expenditure—and it is enormous in some people's minds—to construct a tunnel for use on a temporary basis.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. COLMER. I yield.

Mr. ROONEY. It is not at all an enormous expenditure. The total estimated cost of the alteration of the 79 two-room suites in the Congressional Hotel plus the cost of the tunnel comes to $225,000.

Mr. COLMER. Well, that is still a lot of money in some people's books. But my point is this, that you now have a tunnel from the Old House Office Building. The Old House Office Building is only about 40 or 50 feet away from the Congressional Hotel, and we are going to spend all of that money just to get across the street.

Mr. ROONEY. Mr. Chairman, if the distinguished gentleman will yield further, may I say that there is necessity for this tunnel, not only with regard to the new Members, whose suites would be located in the Congressional Hotel, and their coming over to the Old House Office Building by the new tunnel and proceeding by the old tunnel to the Capitol, but for the reason that the first floor of the Congressional Hotel, and the basement, and the basement garage area are to be used by the House Folding Room, and that occupancy would necessitate the use of the new short tunnel for hand trucks and the cartage of printed matter between the Congressional Hotel and both House Office Buildings and the Capitol.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to the gentleman.

Mr. BOLAND. I think the question which the gentleman from Mississippi propounds is a good question. I agree with him. I cannot understand why you have to build a tunnel from the Congressional Hotel to the Capitol. Is that what is going to be done?

Mr. ROONEY. If the gentleman will please yield to me, the new tunnel is to be built from the Congressional Hotel, across the street to the Old House Office Building.

Mr. BOLAND. That clears it up. All we are going to do is to build a tunnel from the Congressional Hotel over to the Old House Office Building; is that correct?

Mr. VINSON. That is all.

Mr. ROONEY. May I further say that this tunnel, even without regard to the use of the Congressional Hotel for the next 4 or 5 years, will still be useful for the reason that Members will be able to proceed from the remodeled Old House Office Building via the tunnel to the parking space at the Congressional Hotel.

Mr. COLMER. Mr. Chairman, I am still against the tunnel and the whole program. We here should set an example for economy rather than spending unnecessary funds.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. The Clerk will read.

The Clerk read as follows:

The foregoing amounts under "Capitol Police" shall be disbursed by the Clerk of the House.

Mr. FLOOD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have just arrived on the scene; not that any messengers were sent for my aid, or anything of that sort. But I should like to take another minute of your time in connection with this matter of the Congressional Hotel.

Mr. Chairman, let me say this. Yesterday the other body, in acquiring additional real estate for the future development of Government facilities in the Hill area, went to some great pains and considerable expense to buy everything for several square blocks with the exception of a small hotel which has been for many years serving adequately and well the Members of the other body, their families, their friends, their dinner partners, and so forth. That other body is famous for taking care of itself, and my compliments and commendations to them. We on this side of the Capitol are notoriously derelict in that regard.

A number of years ago, before the Korean war, when the old beloved gentleman from Illinois, Mr. Sabath, was here, elaborate plans were made for the construction on the Hill of apartment facilities at going rates, under lease and contract management in a businesslike way, for Members of the other body and this body, if they saw fit to make use of those living facilities.

We have torn down about everything within IRBM range of the Capitol as far as living facilities are concerned, and eating facilities, and, if you must, liquid facilities of various types and kinds which many people find necessary. That does not include me, but I do not hold it against anybody.

This Congressional Hotel has become in the several years it has been there an integral part of the conduct of business and necessary social activities of the House of Representatives. I believe it is necessary and essential. Many, many of your friends come and stay there. There must be 30 or 40 Members and their families living there. There are 3 or 4 times that many who "bach" there when their families have gone home or have not arrived early in the year. Many luncheons and dinners are held there for the convenience of the Members by people who have a right to come here and enlist their aid and support for projects they think are of value.

It is convenient. It is essential. It is necessary for all of those very purposes.

Finally, why in the world must we tear the "innards" out of the Old House Office Building, starting in a few months? Why? What is so absolutely necessary, with the whole Hill torn apart? The word is, "There are a couple of places we are not working on, so let us go and tear them apart." Why cannot this Old House Office Building be left as it is for a while? I am satisfied with my quarters there. If they insist I have to have three rooms, why do they not let me alone for a couple of years, until you finish this third House Office Building? If I need a bathroom over there in the Old House Office Building, which apparently I do not need at all—I have been doing all right for 10 years, however long I have been here—I am not particularly keen about keeping a commode in my office. It would be very embarrassing, and it is embarrassing to the men in the New House Office Building.

I submit, Mr. Chairman, that this Congressional Hotel building and its facilities of all kinds now belongs to the Government and should be considered by us as part of the operation of this House for all the purposes for which we have been utilizing it for the convenience of the Members.

Mr. PILCHER. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Georgia.

Mr. PILCHER. Does not the gentleman remember that when we appropriated the money to start the construction of this new building the gentleman on the committee from Georgia agreed there would be no money spent on the renovation of the Old House Office Building or the Congressional Hotel until the completion of the New House Office Building?

Mr. FLOOD. I was as assured of that as I am of the integrity of the gentleman from Georgia, which is great. I understood from him that all of this business would not be done until this third House Office Building was completed. Many of us need this place over there for many reasons, and I do not think we should touch it.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been interested in this debate. I live at the Congressional Hotel. I am not the only Member of this body who lives at the Congressional Hotel. We have been told that we are to be kicked out of our home when this session is over, and that then the Congressional Hotel will be turned into offices, at least 3 years before the new House Office Building is erected.

I expect to be back in the next Congress. Unless there is some good reason for it, I think the convenience and the comfort and I might say the necessities of some of the Members living at the Congressional Hotel should be taken into consideration. I say necessities. I like to work. I am not boasting of the fact that I am a hard worker because I like to work. That is my joy of living. I live at the Congressional Hotel because I can work 7 days a week and I can work until midnight at my office and 5 minutes after I quit my work I am in my bed at the Congressional Hotel. I do not know where I am going to go so that I will have the same facilities. Yes, I can do less work, I can spend hours of the time I wish to give to my job traveling to and from my office, but if I wish to put in the time to do the best job I am able should I be stopped because 3 or more years before the new office building is up the workers start ripping up my home? Perhaps I should not talk about this because I have a personal interest, but I am going to talk all the more strongly because I do have that personal interest and that interest is shared by my constituents who expect me to give them my service to the utmost of my ability. I think I am talking for every Member who lives at the Congressional, all for the same reason as is my motivation, that they may put in full time at the job and the better serve their constituents and the Nation.

When the new House Office Building will be completed no one can say with any degree of certainty. When I came to Washington in 1949, they were starting work on the site of the New Senate Office Building. That was 9 years ago, and the New Senate Office Building is not yet ready for occupancy. It may be, but I doubt it, that the new House Office Building will be completed and turned over for occupancy by the Members in the year 1961 or 1962. Why, in commonsense, and in consideration of the 30 or 40 Members of this body who live there, cannot the Congressional Hotel be left undisturbed until the new building is up?

It has been my home for a number of years. Its proximity to my office has enabled me to do a much better job for my constituents than would have been possible if I had been forced to spend a considerable portion of each day and night fighting traffic to get to and from my office.

What is true in my case is true in the case of many of my colleagues. Now it is proposed to throw us out, literally on the street, because there are not available accommodations in this area, and it is a case of either going on the street or moving to the suburbs. For what purpose is this being done? The purpose is to turn the hotel into offices for new Members of the Congress so that suites of three rooms in a portion of the old Office Building can be made for the greater accommodation of some Members now occupying two-room suites.

If it were merely a matter of personal interest to the Members who are now living at the Congressional Hotel, it might be decided on the issue of preference. That is, that preference should be given to the Members desiring three-room suites in priority to Members desiring some place to call home. But this issue goes much further. As the distinguished gentleman from Pennsylvania [Mr. FLOOD] has so well said, the Congressional Hotel is an established institution in the functioning of the Congress of the United States and especially of the House of Representatives.

There is scarcely a day that there are not meetings of constituents, of State and national organizations, held at the Congressional Hotel convenient for the attendance of Members of the Congress. It is the only place in the area where a group desiring to meet with its Congressmen can do so at luncheon, and the Members of Congress can attend within reach of either Senate or House on the ringing of the gong for a rollcall. These men and women who come to Washington on legislative matters in which they are interested have a right to see and talk with their Representatives in the Congress, and it does not seem to me gracious on our part to make it more difficult to see us.

The Congressional Hotel is now the property of the Federal Government. There will be time enough to convert it into offices when the new House Office Building is completed. Until that time comes, it would seem to me in the public interest, as well as in the personal interest of the Members living at the Congressional Hotel, that the present arrangement should continue.

Mine is a very busy office, as all my constituents know who have visited it. We are crowded for space and we could use more, but I can certainly get along, and the efficiency of my office will not suffer, for another 3 or 4 or 5 years, or however long it may be, until the transformation can come in an orderly manner.

I do not wish to be understood as criticizing those who have made the plans, but I do think that the plans have been entered into through inadvertent failure to consider all phases. For one I do not relish an eviction without a hearing.

Just one other thought, Mr. Chairman, and I am through. We are now in a period of recession. There is growing unemployment in Washington as well as in other cities and sections of the country. I wonder if this is the time, not only to throw the Members of the Congress who live at the Congressional out of their homes, but also to throw out of employment the present staff of the Congressional Hotel. This staff is composed of many fine men and women. There is not a finer group of hotel workers in all the world. Many of them have been with the hotel since its erection or shortly afterward. It will be difficult in these times for them quickly to find new jobs. Things may be different at the time the new building is completed. The period of growing unemployment then may have come to a happy termination. Why at this time, and with the completion of the new office building so far away, we should rush forward with the present plan is beyond my power to understand.

Mr. Chairman, I yield back the remainder of my time.

Mr. ROBSION of Kentucky. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I realize to a certain extent I am wasting my time and your time by discussing what ought to be done with the Old House Office Building, the Congressional Hotel, and the new building because it is going to be done nevertheless. However, while I do not have a personal interest such as my colleague who has just preceded me, my

conscience will not permit me to sit idly by and see $70 million of the taxpayers' money wasted on this New House Office Building. I claim to have a little better than average knowledge of the work of a Congressional office. I started 39 years ago in the Old House Office Building, beating a typewriter. I did it for 10 years. I understand the needs of the secretarial force as well as the needs of the Member, himself. We operated for several years with one office room and in the spring we had dozens of mail bags of garden seed in there with us. We did need 2 rooms but now we do have the 2 rooms. I assure you that when you get 3 rooms with the addition of a third building, there will be a move on to have 4 rooms and a growing demand for more and more clerks to put in the additional rooms. This is just part of the whole picture that is not going to end. Let me present to you the very simple and relatively inexpensive solution to this problem. We already own the Congressional Hotel, as I understand it, so there is no need to talk about whether we ought to buy it or not. Let us take the Congressional Hotel and put all of the service units there—the barber shop, the folding room, the hairdressers, the cafeteria, the stationery room, and everything not directly connected with the operation of the office of a Member of Congress, and I will guarantee you that would provide enough additional space in the two present buildings for all of those who think they need more room. In my private practice of law, it was not too difficult for me to go a block away for lunch or to go a block or 2 to park my car or to go 2 blocks to do something else, and it is not unreasonable to presume that we could easily walk across the street to the Congressional Hotel for incidental services. When we contemplate all of the space that is now being used in the Old and New House Office Buildings for activities which could be carried on in the Congressional Hotel, and serve the purpose just as well, there could be little question but that a new $70 million office building is not needed.

I share the feeling of my colleague from Pennsylvania that I do not need a private bathroom in my office. I was 15 years old before we had one in the house and I can get along very well with one down the hall from my office as we now have it in the Old House Office Building.

So, to me that is not a very good talking point as to the need. The day is going to come when you will have to give serious consideration to the millions of dollars that are being wasted right here on Capitol Hill. There is no need talking about what the Government is wasting in some other State or some other country as long as we continue to waste money on Capitol Hill. There is no man within the sound of my voice that does not know that to be a fact if he will just listen to his own conscience. If I had an hour I could cover a great many other instances of waste in the legislative branch, but I have only 1 or 2 minutes remaining. And in the remaining I want to repeat that in my opinion, based on many years as a secretary and a Congressman, there is no need for a third office building particularly, so long as we own the Congressional Hotel and can put our various service units over there.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. REES of Kansas. I am in accord with the gentleman's views, but can the gentleman suggest the kind of an amendment that may be offered at this stage to carry out his proposal? I am opposed to the entire expenditure. It is extravagant and unnecessary.

Mr. ROBSION of Kentucky. This whole thing has been handled in such manner that like so many Members of this House I do not know what is going on and I do not know what amendment would be appropriate at this time. I will have to leave that to you men like yourself with far greater legislative experience.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. ROBSION] has expired.

The Clerk read as follows:

ACQUISITION OF PROPERTY, CONSTRUCTION AND EQUIPMENT, ADDITIONAL HOUSE OFFICE BUILDING

To enable the Architect of the Capitol, under the direction of the House Office Building Commission, to continue to provide for the acquisition of property, construction and equipment of an additional fireproof office building for the use of the House of Representatives, and other changes and improvements, authorized by the Additional House Office Building Act of 1955 (69 Stat. 41, 42), $22,500,000.

Mr. GROSS. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 14, line 24, strike the period after the figure "$22,500,000" and insert a comma and the following: "*Provided*, That none of the funds herein or hereafter appropriated shall be used for the purpose of remodeling the Congressional Hotel until the House Office Building presently under construction is occupied."

Mr. ROONEY. Mr. Chairman, I make a point of order against the amendment that it is legislation on an appropriation bill and that the word "hereafter" makes it such.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. GROSS. Mr. Chairman, I think it is a limitation on an appropriation bill and that is all.

The CHAIRMAN (Mr. WALTER). The Chair is prepared to rule. The amendment offered by the gentleman from Iowa [Mr. GROSS] attempts to limit the power of the Congress in the future to appropriate. Therefore it is legislation, and the point of order is sustained.

The Clerk concluded the reading of the bill.

Mr. NORRELL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. MCCORMACK, having assumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 13066, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. NORRELL. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. NORRELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

## STATE, JUSTICE, JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1959

Mr. ROONEY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a conference report on the bill (H. R. 12428) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1959, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

## BRIDGES ACROSS THE POTOMAC RIVER IN THE DISTRICT OF COLUMBIA

Mr. DAVIS of Georgia. Mr. Speaker, I call up the conference report on the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes," and ask unanimous consent that the statement of the Managers on the part of the House may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1947)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6306) to amend the Act entitled "An Act authorizing and directing the Commissioners

of the District of Columbia to construct two four-lane bridges to replace the existing 14th Street or highway bridge across the Potomac River, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(a) by striking '$7,000,000' and inserting in lieu thereof '$16,000,000'; and (b) by inserting immediately before the period at the end of such section a semicolon and the following: 'except that the provisions of section 6 of such Act of 1906 shall not apply.'"

And the Senate agree to the same.

JAMES C. DAVIS,
JOEL T. BROYHILL,
*Managers on the Part of the House.*

ALAN BIBLE,
J. ALLEN FREAR, JR.,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes," submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The first section of the act of July 16, 1946 (60 Stat. 566), authorized the construction of two four-lane bridges across the Potomac River to replace the older structure known as the Fourteenth Street or Highway Bridge, at a cost not to exceed $7,000,000. The final cost for the construction of the first of these two bridges amounted to approximately $6,800,000, or substantially the amount authorized by such act for the construction of both bridges.

The House bill amends the first section of such act to require that a bascule-span bridge be constructed to replace the southbound Fourteenth Street Highway Bridge across the Potomac River, and by increasing the limitation on the cost of constructing both bridges from $7,000,000 to $17,500,000, of which $1,500,000 represents the estimated cost of providing a bascule span in the proposed bridge.

The Senate amendment provides for the elimination of the bascule-span requirement contained in the House bill, and authorizes $16,000,000 for constructing both bridges, thus eliminating the additional $1,500,000 in the House bill representing the estimated cost of providing a bascule span in the proposed bridge.

The proposed conference substitute, like the Senate amendment, would not require a bascule span in the bridge, and would authorize a total of $16,000,000 for construction of the bridges. The proposed conference substitute would also amend the act of July 16, 1946, to exempt from application to such act section 6 of the act of March 23, 1906 (commonly referred to as the Bridge Act of 1906, relating to time limitations on commencement and completion of bridges.

The conferees are keenly aware of the great importance of maintaining the navigability of the Nation's waterways. The Potomac River is a key feature of the Nation's system of navigable streams. Accordingly, it is desired that the Corps of Engineers, in acting on any application for a navigation permit for the southbound Fourteenth Street Highway Bridge, give serious weight to the requirements for vertical clearance by existing navigation.

JAMES C. DAVIS,
JOEL T. BROYHILL,
*Managers on the Part of the House.*

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

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## APPLICABILITY OF ANTITRUST LAWS TO ORGANIZED PROFESSIONAL TEAM SPORTS

Mr. O'NEILL. Mr. Speaker, I call up House Resolution 595 and ask for its immediate consideration.

The Clerk read as follows:

*Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10378) to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, I yield myself 30 minutes at this time; and at the conclusion of my remarks I shall yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. Speaker, House Resolution 595 makes in order the consideration of H. R. 10378, a bill to limit the applicability of the antitrust laws to certain designated professional team sports. The resolution provides for an open rule and 2 hours of general debate.

The bill proposes that the antitrust laws be limited in their application to the designated professional team sports of baseball, basketball, ice hockey, and football. It might be noted here that the bill covers only team sports and not individual sports such as boxing. The bill provides that the antitrust laws shall not apply to these four organized profesisonal team sports regarding contracts, agreements, courses of conduct, or other activities among teams, or groups of teams, where it is reasonably necessary to maintain the following:

First, the equalization of competitive playing strength—such as giving the first choice of drafting the players to the weaker teams to prevent the richer teams from buying the better players and making the competition perhaps one-sided;

Second, the right to operate within specified geographic areas—the reason for this being to prevent too many teams from operating in a given area which could cause serious economic damage to the team, or teams, already operating in the particular area;

Third, the preservation of public confidence in the honesty in sports contests; such as the right of a league president or commissioner to discharge players who throw contests, accept bribes, or bet on contests in which they are engaged. Strict enforcement of these are most necessary to maintain public confidence; and

Fourth, the regulation of telecasting and other broadcasting rights. This is believed necessary in order to limit the telecasting and broadcasting of games within a given radius of the site of the game being played so as to prevent possible lowering of the game's gate receipts.

Baseball has been exempted from the antitrust laws since 1890 when the Supreme Court so ruled. The other named sports have been held to be subject to the antitrust laws. This bill would place all four under such laws with the exception of the aforementioned "reasonably necessary" clauses.

Mr. Speaker, as will be noted this is an open rule. I am aware of the fact that a substitute bill be offered, the Walter-Keating-Miller-Harris bill. Coming from the State of Massachusetts, where we have one of the big league clubs, I have been contacted by Mr. Tom Yawkey, one of Boston's civic-minded gentleman, owner of the Boston Red Sox, and he has assured me that the substitute should prevail. I have also been contacted by Lou Perrini, owner of the Milwaukee Braves. I have also been contacted by Joe Cronin, business manager of the Boston Red Sox. At noontime today I had lunch with Carl Sheridan, who is the personal representative of the Milwaukee Braves, and he assures me that it is the unanimous feeling of the big league baseball clubs that they are in agreement and hope that the substitute bill that will be offered will prevail.

I merely say that because I have heard so many people say that, being great lovers of baseball, the American national pastime, they would not want to do anything that would injure the sport of baseball. So, I want to assure them, for as many as three high executives in the league have been in personal contact with me, that they are in complete agreement. Although they have been protected themselves, they believe, in fairness to the other professional sports, that the other professional sports should be protected, too.

Mr. Speaker, I urge the adoption of House Resolution 595 so the House may proceed to the consideration of H. R. 10378, for which ample time has been provided.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Connecticut.

Mr. MORANO. I wish to compliment the gentleman for his statement with respect to the baseball executives. I, too, have been contacted by a baseball executive, George Weiss, of the New York Yankees. He assures me that the substitute bill to be offered by the four colleagues the gentleman has mentioned is the measure that he supports and that

it will protect all interested parties sufficiently. And, I go along with that, too. I hope to be able to make a statement on the substitute Walter bill a little later in the day.

Mr. O'NEILL. I thank the gentleman. Mr. Speaker, I now yield to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I favored the rule granted on H. R. 10378 in committee because unless legislative relief to exempt professional team sports from the Federal antitrust laws is granted, professional football, as we know it today, will disappear. To a great extent, the organized professional sports of hockey and basketball will likewise be injured unless the Congress adopts some type of antitrust exemption. The rule which the committee granted was on H. R. 10378, the bill introduced by Mr. CELLER, chairman of the Judiciary Committee. However, I intend to support substitute identical bills introduced last week, namely H. R. 12990, 12991, 12992, and 12993, introduced by Mr. WALTER, of Pennsylvania, Mr. KEATING, of New York, Mr. MILLER, of New York, and Mr. HARRIS, of Arkansas.

I will briefly sketch the background which has made legislative action necessary and then explain why the solution proposed by the last four identical bills is preferable to the approach of the bill on which the rule was granted.

In February 1957 the Supreme Court of the United States held that professional football is subject to the antitrust laws. The decision jeopardizes the continued existence of professional football since it casts doubt upon the legality of both the player selection system and the reserve clause.

Some years ago, it became obvious that if professional football was to grow in popularity and prosper, some method would have to be devised to stimulate competition among the teams and to equalize playing strength. The annual player selection system, often referred to as the player draft, and the reserve clause, have equalized the teams so well that now the outcome of any league game is as unpredictable as next month's weather. These and other practices are vital to the survival of professional football. Consequently, if the courts were to hold either of these to be an unreasonable restraint of trade, then organized football, the highly competitive and colorful sport that we know today, would come to an end. It would revert to its former state when four top clubs won most of the games and the public refused to support the poor teams which were unable to acquire good players.

The Celler bill, H. R. 10378, recognizes these problems and it would permit organized professional baseball, football, basketball, and hockey to maintain "reasonably necessary" reserve clauses and player selection systems and to permit agreements among teams as to territorial rights. It would also authorize the commissioners of these organized sports to take such actions as might reasonably be needed to protect the honesty of sports contests. The bill would only strike down those activities which are not "reasonably necessary."

At first reading, I would have been inclined to support that bill, but upon reconsideration I realized that no one can tell us how to apply the test "reasonably necessary."

The Celler bill, H. R. 10378, will require these sports to constantly appear in court to defend and justify their practices. One witness at the extended hearings held before the House Judiciary Subcommittee stated that, in his opinion, it would take 10 years of litigation to judicially test sports' practices. What you and I may think is reasonably necessary might, to a judge or jury, be unreasonable or unnecessary. That means an elastic standard which varies from court to court and jury to jury. It is an illusory protection that this bill would give to professional sports.

It is an invitation to litigation. It means each club will be in court for years while judges and juries, who may be ignorant of sports, determine what practices are reasonable and which are unreasonable.

For that reason, I urge you to adopt the substitute bill which is basically similar but drops the test of "reasonably necessary." It creates certainty, it avoids litigation, and it will clearly protect and permit the continuation of these sports.

The substitute measure states clearly that the antitrust laws shall not apply to, first, the equalization of competitive playing strengths; second, the employment, selection, or eligibility of players; third, the reservation, selection, or assignment of player contracts; fourth, the right of clubs to operate in specific areas; fifth, the regulation of rights to broadcast and telecast and to take action through the respective commissioners to preserve public confidence in the honesty of sports contests.

Mr. Speaker, I was particularly impressed with the remarks of the previous speaker, my good friend from Massachusetts [Mr. O'NEILL]. He told about having conversations with owners of major league basebal clubs. I can say that I fully subscribe to what the gentleman said.

It is my opinion, and my opinion is shared by many, that it would be impossible for major league baseball parks to operate with any profit whatsoever if it were not for the fact that professional football goes in and plays many games each year on those fields.

I know in Chicago, out in my State, the Chicago Cardinals play at the White Sox Park about eight games each year. The Chicago Bears play in Wrigley Field. That applies to nearly all the big league parks in the United States.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Georgia.

Mr. LANDRUM. The gentleman preceding the gentleman now speaking and the gentleman from Illinois have referred to their contacts and conversations with various owners of major league or big league baseball teams and their attitude toward the substitute bill.

As a former baseball player and one genuinely interested in the welfare of sports in America, I should like the RECORD to show that minor league executives and players are extremely interested in and favor the substitute bill being proposed here today. My friend, Mr. Earl Mann, the president of the Atlanta Crackers Baseball Club, and my good friend Guy Connell, an official for 20 years of the Georgia-Florida League, from Valdosta, and various players, including a former great pitcher for the New York Yankees, Mr. Spurgeon Chandler, have written to me and spoken to me, and say that it is vital to baseball to have the substitute adopted.

Mr. ALLEN of Illinois. I thank the gentleman.

In conclusion, may I say that while it is true that the owners of football and baseball are for the Keating-Walter-Butler bill, it is likewise true that the players both in football and baseball—and I have discussed this many times with the "Galloping Ghost," Red Grange, and Chuck Bednarik, who is the center for the Philadelphia Eagles, and I have also discussed it with baseball players—I cannot find anyone, whether he be player or owner, who is not for the substitute for the Celler bill.

Mr. CELLER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Speaker, I wish to call to the attention of the House an editorial appearing in the Evening Star, dated June 24, 1958. It reads as follows:

FOR SAFER BOATING

The House this week has a unique opportunity to give an impressive sendoff to National Safe Boating Week, just proclaimed by President Eisenhower for the week beginning next Sunday. Awaiting floor action is the proposed Federal Boating Act of 1958, the so-called Bonner bill to bring about better control of power boating in the interest of public safety. The legislation is needed to cope with the ever-increasing motorboat traffic on the Nation's waterways—a traffic that has grown phenomenally in recent years with the development of outboard boating.

The President's proclamation pointed out that an estimated 28 million persons will participate in small-boat sports and recreation this year. He urged boating organizations, the boating industry, Federal agencies and State authorities to cooperate in focusing "universal attention on the importance of safe boating practices."

More than a Presidential proclamation will be necessary, however, to impress some small-craft owners and operators with the urgency of proper precautions and training in boat handling. The Bonner bill would require registration of all motor-powered craft under 16 feet and would authorize the Coast Guard to cooperate with State and local agencies in controling the operations of such small craft. Some such regulation is essential to reduce the rising number of serious accidents resulting from reckless or inexperienecd handling of small outboard and inboard boats on inland and offshore waters.

An amendment to this bill exempting all powered motorboats under 7.5 horsepower will be offered and accepted. The bill will be brought to your attention on the floor of the House tomorrow.

Mr. O'NEILL. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, I was rather surprised to hear the gentleman from Illinois [Mr. ALLEN] state that he heard nobody in opposition to the substitute bill. Well, I do not think the gentleman has complete knowledge about the situation. I will read to the Members a wire I have received from the Football League Players' Association on June 20, 1958, just a few days ago:

The National Football League Players' Association is opposed to the substitute sports bill offered by Congressmen WALTER, KEATING, and HARRIS. The welfare of professional football players will be seriously affected by this bill which grants to the owners complete exemption from the antitrust laws.

Let me read you a portion of a wire received from Mr. Bert Bell, high commissioner of football:

We do not understand how anyone could object to the use of the standard of reasonableness.

He was referring to the standard of reasonableness contained in my bill.

The wire reads further as follows:

We believe that if the public thought we were objecting to the use of this standard in judging our actions in operating professional football, they could quite possibly suspect that there is something dishonest about the game.

That is what the head of the football groups was telling this Congress.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. WALTER. I was talking with Mr. Bell not an hour ago and he told me I was at liberty to state that the league was in favor of the substitute. Of course they are not opposed to the original bill, but they would be satisfied with either bill, and he said very emphatically that he was not opposed to the substitute.

Mr. CELLER. I spoke to Bert Bell and to his representative the other day and Mr. Bell, the high commissioner of football said he is in favor of the Celler bill. But, the owners of the football teams, are now opposed to my bill and I made that very clear in my own statement. Of course, the owners are opposed to that which would put some restrictions upon them. They want carte blanche. The owners of the hockey league, the owners of the football league, the owners of the baseball leagues want to have complete power unto themselves to do willy-nilly anything they please. And I will say this, that my bill does not interfere with the "reasonable" operation of baseball or any professional team sport. It permits the reserve clause. It permits the draft system. It permits geographical restrictions. It permits the setting up of a high commissioner of baseball or football. It permits all those well known practices that have become ingrained—reasonably ingrained in baseball. We say specifically in our report that those practices if reasonable shall go on without let or hindrance. But, we also add that any other combinations or restraints that would be unreasonable shall be barred. What would be some of these unreasonable restraints? For example, do you mean to tell me—does anyone in this Chamber mean to tell me—they would approve the practice which obtains in the hockey league where one man controls and owns three teams of that hockey league? Imagine what skulduggery could occur in the ownership of 3 teams of a 6 team hockey league? Yet, under this substitute it would be permissible because the owners would have unlimited power to enter into any combination or make any arrangement they wish.

Under the substitute it would be possible to have one man or one entity owning or controlling two or more teams of a baseball league. That would be a fine kettle of fish.

No man in this Chamber would say that this should be approved; namely, that the owners of baseball could band together and black out the whole Nation, could band together to prevent the public from viewing a baseball game under free television. Under such arrangement, if you wanted to see a televised game you would have to see it under a closed circuit and pay for it. Are you going to stand for that? Yet that is what is permissible under the substitute, because there is no restriction upon what the owners of any professional team and leagues may do.

Beyond that, there is a situation in New York City which is most intolerable. Under arrangements made between the teams of the National League and the American League, no team can enter New York City to replace either the Giants in Manhattan or the Dodgers in Brooklyn without the consent of the Yankees, the New York team of the American League. Are you willing to perpetuate and give untrammeled permission to bring about such an unreasonable situation?

In New York City and its environs we have 12 million inhabitants and we have a monopoly by 1 baseball team. No team can come into New York City without the knowledge, consent, and approval of the Yankees.

Beyond that, I will give you some more illustrations, if you want them, as to what would be possible under this substitute bill. Under that bill these teams could get together and say to the radio or television broadcaster, "We do not like the way you have been broadcasting games. You have been making some remarks which we do not like and we are going to boycott you." They would have the right by concerted action to take the broadcaster off the air. They would have the right, by arrangement, to see to it that that telecaster or that broadcaster would not be privileged to continue to report the games. They could go beyond that, as they did in the Mickey Owens case. They could boycott a telecaster so that he could not go into an amusement park. They could concertedly prevent his admission to the baseball park. All of those joint activities regardless of how arbitrary and capricious would be possible under the substitute bill and be free from court scrutiny.

I say this with reference to my bill. They can make any kind of arrangement they wish, no holds barred except those holds which are unreasonable. That is the language of the antitrust laws; reasonable and necessary. All antitrust statutes have been interpreted under that light.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. CELLER. Not at this moment.

It is inescapable that if you do not want the limitation of reasonableness, then you want to give sanction to something unreasonable, to permit combinations in restraints which are unreasonable. How in thunder can anyone oppose language which says that reasonable combinations are legal; that unreasonable, arbitrary combinations are beyond the pale. Nor would my bill result in a plethora of litigation. The courts have held, for instance, that football, hockey, and basketball are fully subject to the antitrust laws. There has not been a plethora of litigation against hockey, football, or basketball. In football, for example, only one suit has been filed.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require to make a correction and an inquiry. I listened to the statement of the gentleman from New York [Mr. CELLER] carefully. I believe he stated that Commissioner Bert Bell preferred the Celler bill over the Walter-Keating substitute. It is my understanding—I know the gentleman wants to be fair in this matter—that Commissioner Bell did say at one time when the question was before the Judiciary Committee that if it was a question of the Celler bill or nothing he would accept the Celler bill.

It is my understanding, however, that when the Walter-Keating substitute was submitted—and I may say to my colleague that if I am not correct I want him to correct me—it is my understanding that Commissioner Bell, the baseball owners, the football owners, the players, and all, preferred the Walter-Keating bill to the Celler bill. Is that correct?

Mr. CELLER. No; I think the gentleman is wrong. I read a telegram from the football players dated yesterday. I read from a telegram I received from Mr. Bell dated April 16. Yesterday, however, Mr. Bell said he stood on that telegram.

It is the owners who are opposed. The owners are the only ones who have been able to make their views felt.

Where are the fans? Where is the public? Who represents them? You do not hear from them; they are quiet.

Mr. ALLEN of Illinois. I happen to be for the public. I want a continuation of professional football and professional baseball.

Mr. Speaker, I yield 8 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, while I have never had any financial interest of any kind in any organized baseball club, I have had the pleasure and the opportunity for some 40 years to be fairly well associated with organized baseball, both in the minor leagues and in the big leagues.

So I think I can understand fully just how the gentleman from New York [Mr.

CELLER] may feel as a result of the Brooklyn Dodgers' moving out to the west coast. I know that if our Cincinnati Reds were to leave the Ohio River Valley I would be very disappointed, and if there was anything I could do about it I would certainly try to do it. However, I want to talk now about this legislation now before us, and in support of the substitute bill which will be offered, as it applies specifically to organized baseball.

As I said in the beginning, I have had the opportunity to know minor league players, managers, and owners, as well as major league players, managers, and owners throughout the years. I think I know something about organized baseball.

First of all, I am sure most Members know that in two different decisions the Supreme Court of the United States has held that organized baseball as we know it, the great national game, is a sport, and does not come under the provisions of the Federal antitrust law.

What this bill would really do would be to bring baseball under the Antitrust Act for the first time, organized baseball as such, not only the major leagues, but also the minor leagues, or any other league in which anyone received any compensation whatsoever, under certain requirements that baseball must follow from here on out, although, as of today, under the Supreme Court decision, baseball is completely free from any antitrust regulation of any kind. The words the gentleman from New York [Mr. CELLER] has used are written into other antitrust legislation, they are "reasonably necessary."

Therefore, the enactment of this legislation, as far as organized baseball is concerned, would open the door for the filing of all sorts of lawsuits by players, by individuals, by radio and television stations, and almost everyone else, to decide and to fix what might be "reasonable and necessary."

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Connecticut.

Mr. MORANO. The gentleman is so right. In other words, interminable litigation would in effect destroy organized baseball.

Mr. BROWN of Ohio. Under this provision in the Celler bill any baseball player who was not satisfied with the contract offered to him, instead of holding out, as has been the rule in the great national game throughout the years, could instead of saying "I will not play, I will not sign this contract," bring suit and say "This is not reasonable or necessary." He could get all sorts of Federal court action over that.

If there is a broad interpretation of this provision, the individual baseball player can even say, "Well, the salary offered me is not reasonable, not necessary, it is not proper, it is unfair use of power by organized baseball," or he could say, "Well, my transfer, or the sale of my contract to some other baseball club, is not reasonable and necessary, for it is unfair to me," and the matter would be in court for 4 or 5 years. By the time you would get a decision and the player back on the team he would not be worth much to the club.

I know practically all of us love the national game. We ought to consider very seriously the adoption of this substitute bill which which would prevent some of these abuses I have mentioned as possibilities under the provisions of the Celler bill. So I expect to support the substitute bill which has been prepared by some of the best legal minds in this House. Some of the owners of baseball teams, in both minor and major, leagues, as well as some of the managers and players have told me the substitute will be far more preferable, in their opinion, than this pending legislation. Organized baseball is perfectly willing to come under the provisions of the Antitrust Act if it comes under the cover or protection of a better and less dangerous piece of legislation, such as the substitute.

I hope that every Member of this House will give close attention to the substitute bill when it is offered. Bear in mind we have a problem before us that is just a little bit different than we find in the ordinary or usual legislation which comes before us, because we are dealing with something the average American considers to be the great national sport.

Mr. FORRESTER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Georgia.

Mr. FORRESTER. I want to call the attention of the gentleman to the fact that he so well said there would be a multiplicity of suits if the Celler bill is passed. Also, I want to say that the damages would not be the damages proven but three times those damages.

Mr. BROWN of Ohio. You could wreck every baseball team in the country if you have a lot of smart lawyers operating under it, regardless of whether the team finally wins or loses, or whether baseball in general wins the suit.

These teams are having a hard time to stay alive now, especially in the minor leagues. We have recently seen many minor leagues fold up. We have also seen some teams in the majors in financial difficulties. Take the situation in the city of Cincinnati, for instance, if it was not for the fact that Powell Crosley, who owns the Cincinnati Reds, loves baseball and spends his money as a sort of side activity instead of playing golf, probably the Cincinnati team would be in difficulty. But Mr. Crosley loves baseball, he has spent his money on it and, thank the Lord, he has enough finances to support a good team in one of the hottest baseball cities in the country, Cincinnati. Baseball is a sport. It is not just a business like that the average individual participates in. I think we must give a little different consideration to this type of legislation than we give to the ordinary type of antitrust legislation.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from New York.

Mr. CELLER. Of course, the gentleman is aware of the fact that the Supreme Court held that football was within the purview and foursquares of the antitrust laws.

Mr. BROWN of Ohio. Yes, I understand that.

Mr. CELLER. Yet there have been no suits of any consequence filed against the football owners at all.

Mr. BROWN of Ohio. I cannot answer that question. I understand the gentleman's question and his point. I cannot answer it, because I am not an expert on football. I leave the football division of this controversy to my good friend, the gentleman from Illinois [Mr. ALLEN], who, I may say, has never fumbled the ball when it comes to legislation of this type.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the remarks which I made yesterday, which through inadvertence did not get into the RECORD, may be inserted at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, last week I was privileged to throw out the first ball at a softball game between the amateur All-Star girls of Lowell, Mass., and splendid young jockeys, an amateur softball team from Suffolk Downs.

The Lowell team is made up of remarkable fine young women. They are handsome and dignified, capable and true sportswomen, and I admired their behavior greatly. It was a real treat to be there and watch them play. While they lost the game 13 to 16 they showed a wonderful determined fighting spirit to build 13 runs and have no errors.

The captain and catcher of the Lowell team, Miss Margaret Demogenes, is considered one of the finest sportswomen in the Commonwealth of Massachusetts. Perhaps I should not have accepted it, but they gave me the beautiful pink orchid I am wearing today. It shows the gentle consideration they have for others.

The All-Star girls were raising money for a Greek school building. I know the Members of the House are interested today in education and that they would approve the philanthropic efforts of these girls, who succeeded in raising a great deal of money for their school. There must have been over 2,500 persons watching the game with very keen interest. These Greek-American girls, and the girls of other racial descent on the team, are extremely fine citizens of Lowell and Lowell is very proud of their ability.

The following girls are in the Lowell Girl All-Stars lineup: Miss Margaret Demogenes, captain; Joan Davidson, Charlotte Cate, Leona Riggs, Pauline Gouveia, Lorraine Boule, Patricia Polski, Mary Purtell, Elizabeth Bowmer, Margaret Luz, Mrs. Stama Revans.

A sports article in the Lowell Sun follows:

[From the Lowell Sun of June 23, 1958]

BENEFIT GAME—2,500 WATCH JOCKEYS TURN BACK GIRL STARS

LOWELL.—A crowd estimated at 2,500 saw the Suffolk Downs jockeys outslug the local All-Star softballers, 16–13, in a benefit game for the Hellenic school building fund on the South common yesterday afternoon.

The riders built up a 9–0 lead before the girls were able to break into the scoring column with a 5-run fourth inning. The jocks picked up 7 more runs in the fifth and sixth frames, enabling them to absorb a 6-run rally by the gals in the seventh.

Owen Headley of Daytona Beach, Fla., led the jockeys at the plate with three hits including a pair of home runs. Jerry Parenti of Revere also collected three hits.

The star for the girls was Pauline Gouveia, who played a fine game at third base and got two hits. Stama Ravenas, Margaret Demogenes, Pat Polski, and Leona Riggs also had two hits each.

Representative EDITH NOURSE ROGERS threw out the first ball, while in attendance were State Representative Ray Rourke and City Councilors Joe Downes, John Janas, and Pat Walsh. Sportscaster Weldon Haire handled the announcing.

Following the game, both teams were guests af the AMVETS at a buffet supper.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed out of order, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

JOIN A COMMUNIST-DOMINATED UNION—OR LOSE YOUR JOB

Mr. HOFFMAN. Mr. Speaker, today some workers are forced to join a Communist-dominated union or lose a job. That is the present situation which has been created by the Congress and the decisions of the courts.

But an editorial writer of the Chicago Tribune, stating the facts on June 3, last, tells the story—and here it is:

MR. BERFIELD'S PLEA TO CONGRESS

One of the evils of compulsory unionism is illustrated by the case of LaRue Berfield, a sheet-metal fabricator in the Sylvania plant at Emporium, Pa. He has worked at the plant for 19 years, excepting 4 years of service with the Air Force during World War II. He is married, has two children, and is a member of his district school board.

Last January the United Electrical Machine Workers Union (UE) won a bargaining election at the plant. As a result all the company's 2,000 employees must join the union by June 15 or lose their jobs. The UE has a long record as a Communist-dominated union. For this reason it was expelled from the CIO in 1949, and there is much evidence that it has continued under Communist control.

Mr. Berfield is well acquainted with the UE. For opposing its Red leadership he was expelled from the union in 1950. Now he will be compelled to rejoin the union or give up his job.

Mr. Berfield told his story to the Senate Internal Security Subcommittee, asking how he can continue to earn a living without submitting to the discipline of Red labor bosses. Members of the subcommittee expressed their sympathy and said they would try to do something.

Subcommittee Counsel Jay Sourwine noted that the Supreme Court has decided that a man is entitled to be protected in his job if he associates with Communists. Mr. Berfield, however, seems to have no protection in his job if he refuses to associate with Communists.

The Taft-Hartley Act purports to protect a worker against loss of his job under a union shop for any reason other than his failure to pay union dues and assessments. But what protection is that for a man who has been expelled from the union once and is likely to be made the victim of reprisals that will discourage him from exercising his legal right to keep his job?

In practice, a union member must conform with union practices and policies if he wishes to keep his job. Under this system the labor of whole industries has been turned over to the control of one or two men, who frequently abuse their power, as the Senate Rackets Committee has shown.

The evil system is at its worst when Communists get control of a union, for the national safety as well as the welfare of individual members then becomes endangered. In the event of a national emergency loyal citizens with membership in a Communist-dominated union would be helpless against their union leaders.

One remedy is the right-to-work laws which a number of States have adopted. The laws provide that no one shall be forced against his will to belong to a union in order to hold a job.

Later David Lawrence told it again on June 6, 1958:

PROBLEM OF A NON-COMMUNIST — WORKER ASKS CONGRESS' AID AGAINST JOINING RED-FRONT UNION TO KEEP JOB

LaRue I. Berfield works in a factory of the Sylvania Electric Corp. at Emporium, Pa. He has worked for the same company for 19 years, but is about to lose his job through no fault of his own and through no desire of his employer to fire him. He spent 4 years in the Armed Forces—first with the 5th Air Force overseas and then 28 months in the Southwest Pacific.

But Mr. Berfield is in serious trouble. He has the misfortune of being a white citizen and not a Communist sympathizer. If he were either a Negro or a member of some Communist-front organization he and his children would be getting the protection of several of the so-called civil liberties organizations which usually raise defense funds or appear in court in behalf of persons in civil-rights cases or those who plead the fifth amendment or the right of free speech under the first amendment.

Mr. Berfield, exercising his right of petition, came to Congress to tell his story. The reason he is about to be deprived of his job is because he doesn't believe in communism and is unwilling to join those who he believes are its exponents in this country. The plant where he works is engaged in defense work and makes certain articles that are classified, though it appears they have something to do with making improved radar equipment for the ballistic missile's early warning system.

After an election among the employees, Mr. Berfield told the Senate Subcommitee on Internal Security the other day, a union was certified on May 16 as bargaining agent for all employees. It is known as the United Electrical, Radio, and Machine Workers of America and was expelled by the CIO from its organization 8 years ago on the grounds of Communist domination.

Now since the union has obtained from the employer a contract providing for what is termed the union shop, under existing Federal law the employer is required to dismiss anyone who after 30 days does not become a member of the union. Mr. Berfield, therefore, has until June 16 next to make up his mind whether to join the union or lose his employment. He doesn't want to give up his job, but if he doesn't he will have to stultify himself by disavowing, in effect, the two loyalty oaths he has taken—1 to a civil-defense organization and 1 to a local school board. He has pledged that he is not identified with any Communist organization.

Mr. Berfield told the committee he could not in good conscience join the union because he would not be upholding his loyalty oaths to the fullest extent. He wrote a letter to the Senate subcommittee which said, in part:

"From reports of investigations by the United States Government, it has been found that the U. E. is Communist-dominated and controlled. I would like to know if a person can be forced to join such an organization in order to keep their employment?"

Here is what the CIO said in their formal resolution expelling the U. E. from its organization:

"We can no longer tolerate within the family of the CIO the Communist Party masquerading as a labor union. The time has come when the CIO must strip the mask from these false leaders whose only purpose is to deceive and betray the workers. So long as the agents of the Communist Party in the labor movement enjoy the benefits of affiliation within the CIO, they will continue to carry on this betrayal under the protection of the good name of the CIO."

Under recent Supreme Court decisions, when a union is certified as bargaining agent it cannot lose its rights because it is Communist-dominated. Indeed, there is a hint in the court rulings that the individual has a constitutional "right of free association" with Communists so long as he isn't caught participating in any overt acts of revolution against our Government.

But there seems to have been no clear-cut case in which protection is afforded to a man who wants to maintain his beliefs and who refuses at the same time to join a Communist-dominated union.

The case points up the tyrannical power of the so-called union shop, which is a synonym for labor union monopoly. Even the American Civil Liberties Union, which is active in protecting a Negro worker who has been discriminated against by a railway labor union, speaks of the exclusive bargaining rights of unions nowadays as "comparable in scope to certain types of common-law monopolies" and, approvingly, describes the power of a labor union today as "clearly that of an economic legislature endowed by the Government." It adds that "the similarity of union and governmental action is inescapable."

But, it may be asked, if unions have become a system of government, why shouldn't they be subject to the Bill of Rights under the Constitution? Why should Mr. Berfield pay the penalty of losing his means of livelihood just because of his beliefs? The Senate subcommittee chairman, Senator OLIN D. JOHNSTON of South Carolina, Democrat, has rightly promised to study the case and recommend remedial legislation. But meanwhile Mr. Berfield can only appeal to the courts to protect his job. One wonders what organizations take care of individual workers who have that kind of a legal problem to finance—especially when the victim is a white man and also is not a Communist sympathizer.

Mr. O'NEILL. Mr. Speaker, I just want to say this, notwithstanding the fact that the gentleman from New York [Mr. CELLER] has spoken in opposition

to the proposed bill that is going to be offered as a substitute, I know that he is not in opposition to the rule.

Mr. CELLER. No; I am not in opposition to the rule.

Mr. O'NEILL. Mr. Speaker, I have no further requests for time.

I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMITTEE ON PUBLIC WORKS

Mr. BROWN of Missouri. Mr. Speaker, I ask unanimous consent that the House Committee on Public Works may have until midnight tonight to file a report on S. 3910.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

## COMMITTEE ON SMALL BUSINESS

Mr. MULTER. Mr. Speaker, I ask unanimous consent that Subcommittee No. 2 of the Small Business Committee may sit tomorrow afternoon during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

## DELAY PLAN FOR PROPERTY OF MENOMINEE TRIBE

Mr. HALEY. Mr. Speaker, I call up the conference report on the bill (H. R. 6322) to provide that the dates for submission of plan for future control of property and transfer of the trust property of the Menominee Tribe shall be delayed, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (REPT. No. 1866)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6322) to provide that the dates for submission of plan for future control of property and transfer of the trust property of the Menominee Tribe shall be delayed, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with a further amendment as follows:

On page 2, line 2, strike out "December 31, 1958," and insert in lieu thereof "February 1, 1959."

On page 2, line 10, strike out "there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to one-half of such expenditures from tribal funds, or the sum of $275,000, whichever is the lesser amount." and insert in lieu thereof "there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to all of such expenditures incurred prior to the date this sentence becomes effective, plus one-half of such expenditures incurred thereafter, or the sum of $275,000, whichever is the lesser amount."

On page 2, line 17, strike out "December 31, 1958," and insert in lieu thereof "February 1, 1959."

On page 3, lines 10 and 11, strike out "December 31, 1958," and insert in lieu thereof "February 1, 1959."

And the Senate agree to the same.

JAMES A. HALEY,
CLAIR ENGLE,
WAYNE N. ASPINALL,
A. L. MILLER,
E. Y. BERRY,
*Managers on the Part of the House.*

RICHARD L. NEUBERGER,
FRANK CHURCH,
ARTHUR V. WATKINS,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6322) to provide that the dates for submission of a plan for future control of property of the Menominee Tribe shall be delayed, submit the following statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report:

The language agreed upon by the conference committee and recommended for favorable action by the House is identical to that contained in H. R. 6322, as amended in the Senate, with three exceptions.

H. R. 6322, as reported by the Senate, provided that the tribe, with assistance from management specialists, tax consultants and others, would prepare and complete reports on the Menominee resources and industrial programs to be pursued following the termination of Federal supervision not later than December 31, 1958. The conferees agreed to extend this submission date to February 1, 1959. H. R. 6322, as reported by the Senate, also provided that said reports would be submitted to the Secretary of the Interior as soon as possible and in no event later than December 31, 1958. The conferees extended the submission date of this report to February 1, 1959.

H. R. 6322, as reported by the House, provided that on June 30, 1961, the responsibility of the United States to furnish supervision and services to the tribe would cease. In this respect the House conferees conceded to the Senate conferees and accepted December 31, 1960, as the date for final termination of Federal services.

Finally the conferees arrived at a compromise in respect to the reimbursement to the tribe for expenses incurred in carrying out the provisions of the Menominee Termination Act of June 17, 1954. Under the language recommended by the conferees appropriation of a sum sufficient to pay all expenditures for the termination program from 1954 until the act becomes effective will be authorized. An appropriation will also be authorized to reimburse the Menominees in the amount of $275,000 or one-half of any expenditures made after the date of the act and before December 31, 1960, whichever is less.

The conferees strongly urge that all agencies and individuals concerned with the Menominee termination program recognize the importance of fulfilling their obligations as expeditiously as possible. They would look with disfavor on further requests to delay the implementation of the Menominee Termination Act of June 17, 1954.

JAMES A. HALEY,
CLAIR ENGLE,
WAYNE N. ASPINALL,
A. L. MILLER,
E. Y. BERRY,
*Managers on the Part of the House.*

Mr. HALEY. Mr. Speaker, H. R. 6322 as introduced by the gentleman from Wisconsin [Mr. LAIRD] and passed by the House provided for a 2-year extension of time within which the Menominee Tribe was to prepare its termination program—that is, until December 31, 1959. It also provided for a 3-year extension of the final date for cessation of Federal responsibility—that is, until June 30, 1961. It did not change the provision of existing law authorizing appropriations to reimburse the tribe for costs incurred by it in preparing the termination program.

H. R. 6322 was amended in the Senate to require the tribal program to be submitted by December 31, 1958, and to provide for termination of Federal responsibility on or before December 31, 1960. The Senate amendment also provided that, if the tribe failed to submit a satisfactory termination program by December 31, 1958, the Secretary of the Interior should prepare one and should, unless agreement was reached by June 30, 1959, transfer the tribal property to a trustee for management or disposition for the benefit of the tribe. Finally, the Senate amendment provided for reimbursement of the tribal costs of preparing the program to the extent of $275,000 or one-half of the expenditure from tribal funds, whichever is less.

Thus there were four points to be considered in conference:

First. The date for submission of the report—December 31, 1959, as provided by the House or December 31, 1958, as provided by the Senate. The conferees recommend a compromise date of February 1, 1959.

Second. The date for final termination of Federal responsibility—June 30, 1961, as provided by the House or December 31, 1960, as provided by the Senate. The conferees accepted the Senate date.

Third. The provision of the Senate for action by the Secretary of the Interior if the tribe does not prepare a program on time and cannot agree on thereafter. The conferees accepted the Senate's proposed language.

Fourth. The amount of appropriations authorized to reimburse the tribe for expenditures from tribal funds. The conferees recommend an amendment which, in effect, provides for appropriations sufficient to cover (1) all expenses heretofore incurred by the tribe plus (2) $275,000 or one-half of the expenses hereafter incurred, whichever is less. This is more generous toward the tribe than the Senate's amendment and less generous than the existing law which the bill, as it passed the House, did not disturb.

Mr. LAIRD. Mr. Speaker, I wish to commend the gentleman from Florida [Mr. HALEY], chairman of the House Indian Subcommittee, for his complete and

full cooperation during the past 2 years in attempting to secure passage of my bill H. R. 6322, as originally introduced.

His statement on the floor of the House today certainly indicates that every effort was made to get the Senate to recede from its untenable position. In outlining the conference report the gentleman from Florida has clearly indicated that all expenses incurred by the tribe up to and including the date this bill is enacted into law will be fully reimbursed by the Federal Government. I would like to read for the record the termination costs expended or committed by the Menominee Tribe and approved by the Department of the Interior up to and including June 10, 1958.

*Termination costs expended or committed by Menominee Tribe and approved by Department of the Interior to June 10, 1958*

| | |
|---|---|
| Delegations to Washington, D. C. | $13,070.74 |
| Delegations elsewhere on termination | 1,541.96 |
| University of Wisconsin and State study committee | 30,000.00 |
| Forest survey study | 10,000.00 |
| Expenses, tribal representatives, State study committee | 3,446.20 |
| Audits of tribal accounts, request of Bureau | 862.15 |
| Quarters for State and university study group | 350.60 |
| Salary increases and expenses, chairman of advisory council, due to termination | 7,375.00 |
| Extra fees and expenses, tribal attorneys, due to termination | 28,000.00 |
| Land use committee expenses | 2,057.00 |
| Coordinating and negotiating committee budget | 35,000.00 |
| Miscellaneous | 1,536.35 |
| Advisory board, general council, and committees appointed for termination work | 12,400.00 |
| Salary and expenses, termination interpreter | 3,600.00 |
| Special counsel on tax, government and business organization, fees and expenses | 25,000.00 |
| Cadastral survey | 10,000.00 |
| Agency termination costs paid by tribe | 18,500.00 |
| Grand total | 202,740.00 |

The above costs under this conference report will be fully reimbursed by the Federal Government. There may be other costs which have been incurred by the tribe which may have been overlooked in the above listing. However, the language of the conference report as explained by the gentleman from Florida clearly indicates the intent of this Congress to fully reimburse all costs incurred in the way of obligations by the tribe up to and including the date the so-called Laird bill is signed by the President.

As the Members of Congress know, so-called termination of an Indian tribe represents a modification of a treaty between the United States and the tribe involved. Its principal effect is to deprive the tribe of tax exemption on its tribal lands, a status guaranteed perpetually by the treaty.

The Menominee Tribe of Wisconsin, most of whom reside within my Congressional District, is the subject of this latest experiment, an experiment which represents another distinct change in our methods of dealing with our Indian wards, all of whom have been subjected to tremendous policy changes over the years.

I hasten to assure you that the Menominee Tribe has agreed to this proposal in principle. In 1954, Congress enacted Public Law 399, an act designed to accomplish this purpose. It provided merely that Menominee tribal funds required to complete the termination process could be made available to the tribe by the Secretary of the Interior. When the tribe's officials and advisers began attacking the problems involved in the release of Federal jurisdiction and merger within the scheme of government of the State of Wisconsin, it became obvious that the problems were many and complicated; also, that the costs involved would be fairly substantial. Since the Federal Government had chosen to modify the treaty entered into between the United States and the Menominee Tribe, the tribal representatives reasoned that the cost of this process should be borne by the United States. I agreed with them. So did the Wisconsin Senators and other members of the Wisconsin Congressional delegation. On May 12, 1955, I introduced a bill—H. R. 6218, 84th Congress, 1st session—to provide that Federal funds should be made available to pay the costs of termination. To achieve the same purpose, Senator WILEY introduced S. 3277 on February 24, 1956.

In hearings before the Indian Subcommittee of the House Committee on Interior and Insular Affairs on H. R. 6218 my reasoning impressed the subcommittee. The committee recommended the Laird bill H. R. 6218 for favorable action. That committee did so on May 29, 1956. It passed the House on June 5, 1956.

H. R. 6218 then went to the Senate and was referred to the Committee on Interior and Insular Affairs of the Senate. It was favorably reported by the Senate committee on July 5, 1956—Senate Report No. 2411, 84th Congress.

The Senate committee had the following to say respecting H. R. 6218:

> The initial use of the tribal funds as presently authorized, subject to reimbursement by the United States, will permit considerably more freedom in contracting for planning services, and will also permit reimbursement to the tribe for contributions to State agencies for special planning services. The tribe has found it necessary to make such contributions, but they are not made under section 6 of the Termination Act.
>
> When the Menominee termination program was enacted during the 83d Congress, no provision was made for the use of Federal funds to finance termination planning. However, the Secretary of the Interior, in recommending enactment of H. R. 6218, submitted statistics which indicated that the tribe could be expected to continue to incur annual deficits which would have to be paid from its capital reserve.

The report went on to point out that the Wisconsin Legislature had appropriated funds, that the tribe would, in the absence of such legislation, be unable to complete the termination process.

The bill was passed by the Senate on July 6, 1956, and the President added his signature on July 14, 1956.

During 1957, when representatives of the Menominee Tribe and the Wisconsin Congressional delegation found it necessary to request additional time for certain activities required by the Termination Act, I introduced H. R. 6322—85th Congress, 1st session—on March 25, 1957.

H. R. 6322 was favorably reported by the Committee on Interior and Insular Affairs of the House on August 6, 1957. Although there was some discussion of the cost of reimbursement provision of the Termination Act, the House committee took no action with respect to the act of July 14, 1956. It inserted the following in its report—House Report No. 1013, 85th Congress, 1st session:

> Finally, in view of somewhat similar legislation passed by Congress during the present session in which a ceiling was placed on the total expenditures of the Klamath Indian Tribe for carrying out its program for termination of Federal supervision of services, the committee members intend at an early date to consider amending the Menominee Termination Act so as to provide for a maximum amount of Federal funds which may be expended in the implementation of the Menominee Termination Act of 1954.

H. R. 6322 as reported by the House committee, was approved by the House on August 19, 1957.

After very perfunctory hearings, the Committee on Interior and Insular Affairs of the Senate, on August 23, 1957, reported an amended version of H. R. 6322. Although it did not cover the item in its hearings, the Senate committee version, among other things, adopted the following amendment proposed by the junior Senator from Oregon [Mr. NEUBERGER]:

> Such amounts of Menominee tribal funds as may be required for this purpose shall be made available by the Secretary. In order to reimburse the tribe, in part, for expenditures of such tribal funds as the Secretary deems necessary for the purposes of carrying out the requirements of this section [6], there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to one-half of such expenditures of tribal funds, or the sum of $275,000, whichever is the lesser amount.

The bill as reported by the Senate committee was adopted by the Senate on August 26, 1957.

On August 28, 1957, the House disagreed to the Senate amendments, and asked for a conference with the Senate. Messrs. HALEY, ENGLE, ASPINALL, MILLER of Nebraska, and BERRY were appointed House conferees.

On August 30, 1957, the Senate insisted upon its amendment to H. R. 6322, agreed to the conference asked by the House, and appointed Senators NEUBERGER, CHURCH, and WATKINS as conferees on the part of the Senate.

The Senate position in even requiring the Menominee Indian Tribe to pay half of their future termination expenses is a body blow at the entire program of termination of Indian tribes throughout the United States. It is reminiscent of the action of some early agents who, acting on behalf of the United States, shamefully overreached Indian tribes in carrying on negotiations. All of us have deplored this conduct. If we deplore that, we must be consistent enough to

deplore and resist such action today. I am disappointed in this provision but must accept it in order to secure the much needed time extension.

I am reluctantly accepting this conference report today only because it is necessary for us to secure a 2-year extension of Federal supervision over the Menominee Indian Tribe. The action of the Senate in requiring the Menominee Indians to pay one-half of all termination expenses which they incur in the future is reprehensible to me. I believe these costs should be fully reimbursed by the Federal Government. It has always been my position that since the termination program of Federal supervision over the Menominee Indians is in effect a modification of the treaty between the United States and the Menominee Indian Tribe that the expenses in connection with terminating this treaty should be fully reimbursed by the United States Government. There are some Members of Congress who seem to have a bleeding heart on behalf of certain foreign countries but when it comes to their own backyard, they overlook the responsibility of our Federal Government at home.

Mr. Speaker, under unanimous consent, I insert in the RECORD at this point a memorandum dated June 6, 1958, from the Menominee Tribe relating to their position on the conference report on the Laird bill, H. R. 6322.

MEMORANDUM OF POSITION OF MENOMINEE TRIBE ON CONFERENCE REPORT ON H. R. 6322

At a meeting of the advisory council of the Menominee Tribe and the coordinating and negotiating committee of the tribe, held at Keshena, Wis., on June 6, 1958, it was decided to advise Senators WILEY and PROXMIRE and Congressman LAIRD of the following position of the Menominee Tribe with respect to the conference report on H. R. 6322, as adopted by the conference committee on June 5:

1. Since the conference report provides with respect to reimbursement of costs of termination that the Federal Government shall pay 100 percent of the costs prior to the day that H. R. 6322 becomes law, it is important to have clarified on the floor whether existing good faith cost commitments, contractual and otherwise, made by the State and tribal authorities prior to the effective date of H. R. 6322 would be subject to full reimbursement, in the event the conference report is adopted.

2. The conference report would provide a December 31, 1960, termination date. While the Menominee Tribe and the officials of the State of Wisconsin and the Menominee Indian Study Committee have pointed out that it may be necessary to obtain action by the 1961 Wisconsin Legislature, the tribe at this time offers no objection to the December 31, 1960, date. Should it become apparent that action of the 1961 Wisconsin Legislature is required, this would have to be presented to Congress in light of that situation.

3. Under the conference report, the date for submission by the tribe of plans required by section 7 of Public Law 399, as amended, would be February 1, 1959. The tribe has requested that this date be established as March 31, 1959. The additional time was requested by the tribe for the reason that certain very important studies on business organization and governmental problems, directly involved in the plan, have not yet been completed and it appears reasonably certain that the March 31, 1959, date would enable the Menominee Tribe and assisting groups to do a much better job of planning.

4. The conference report reverses previous Congressional policy contained in Public Law 715, with respect to reimbursement by the Federal Government of costs of termination. Public Law 715 provided that all costs of termination would be borne by the Federal Government and established a termination date of December 31, 1958. Under the conference report, the Menominee Tribe is required to bear at least 50 percent of the cost of termination incurred subsequent to the effective date of H. R. 6322, if enacted. For the Menominee Tribe to share in the cost of termination will require it to reduce its capital assets which are required, and should be retained, for any effective long-range, permanent plan for the tribe. If Congress feels it should reverse its position with respect to bearing the costs of termination 100 percent by the Federal Government, we feel that the tribe should in any event not be required to pay any of the expenses prior to December 31, 1958, in accordance with Public Law 715.

5. It is essential for the effective carrying out of Public Law 399, 83d Congress, providing for termination of Federal supervision, that the termination date be extended to at least December 31, 1960. Therefore, it is essential that H. R. 6322 or other legislation extending the termination date be adopted and enacted into law during this session of Congress. If the Menominee Tribe must accept the unfavorable provisions with respect to the date for the planning report and with respect to reimbursement of termination costs contained in the conference report, in order to obtain an extension of the termination date, it appears that we have little choice and must accept the conference report, if it cannot be modified.

Mr. Speaker, under unanimous consent, I include at this point in the RECORD a letter dated June 18, 1958, from the coordinating and negotiating committee of the Menominee Indian Tribe, addressed to President Eisenhower asking that he sign the Laird bill, H. R. 6322.

COORDINATING AND
NEGOTIATING COMMITTEE,
MENOMINEE INDIAN TRIBE,
*Keshena, Wis., June 18, 1958.*

The PRESIDENT,
*The White House, Washington, D. C.*

MY DEAR MR. PRESIDENT: This respectfully refers to H. R. 6322, a Menominee Indian termination bill, passed by the Senate on June 6, 1958, and now before the House of Representatives for consideration as a conference committee report.

This bill, when approved, will extend from December 31, 1957, to February 1, 1959, the date for submission of final plans by the Menominee Tribe for the future control of the tribal property and service functions, to the Secretary of the Interior required by Public Law 399, 83d Congress, 2d session, the Menominee Termination Act; it will extend from December 31, 1958, to December 31, 1960, the date for final termination of Federal supervision of the Menominee Tribe; and it will require that after the effective date of the bill the Federal Government will bear only 50 percent of termination costs incurred by the Tribe, not to exceed $275,000 on the part of the Government. To this latter extent the bill is contrary to Public Law 715, 84th Congress, 2d session, which had provided for full reimbursement of all tribal expenditures necessitated in the termination process.

The Menominee Tribe had hoped for and requested March 31, 1959, as the date for submission of final plans for the control of tribal property and service functions contemplated by section 7 of Public Law 399; it had agreed to December 31, 1960, for final termination of Federal supervision contemplated by section 8 of the act; and had requested that the Congress not disturb the reimbursement provision set out in Public Law 715.

The tribe desired the March 31, 1959, date on plans submission in order to have an opportunity to determine the sense of the Wisconsin State Legislature with respect to the form of local government it would provide the Menominee Tribe, which can have a direct effect upon the plans the tribe adopts for the control of the tribal property. It could well determine whether the tribe might decide to liquidate its assets because of excessive tax burdens, or organize for continued operation of its business enterprises, which is extremely important to tribal welfare.

The effect of H. R. 6322 as now passed by the Senate will cause the Menominee Tribe financial difficulty in that it will further reduce the tribal funds available for operations before and after termination, which funds are now in precarious condition.

The tribe has for many years paid for the support of Federal agency operations on the Menominee Reservation, including salaries of Government officials, out of tribal funds amounting to approximately $400,000 per year. Since about 1936 the Government has, however, contributed toward the support of educational and public roads functions out of Johnson-O'Malley Act appropriations and Indian roads programs. That contribution in the past several years has amounted to about $100,000 for each activity, but in former years has been much less.

The Menominee Tribe is now in this financial situation as a result of developments engendered by termination proceedings since 1954:

1. The budget for Federal agency and tribal operations for the fiscal year 1959 will practically deplete tribal funds now available and used for these purposes by July 1, 1959 (since termination proceedings began the tribe has taken over the bulk of the operations formerly performed by the Federal Indian agency). Funds available for these functions as of July 1, 1958, are estimated to be $329,298—the budget contains nonreimbursable items of approximately $370,000.

2. Without delving into the Menominee Mills principal 4-percent fund, now on deposit in the United States Treasury and used almost exclusively for industrial operations, which support the economy of the reservation and its people, and to a large extent the surrounding communities, the tribe will not have funds available for Federal agency and tribal operations.

3. The Menominee Mills principal 4-percent fund is reduced to $1,367,871 unallotted and on deposit in the United States Treasury as of March 31, 1958 (business consultants advise that at least $3 million should be available and in reserve for an operation the size of ours).

4. About $1 million is invested in an existing lumber and forest products inventory not sold due to market conditions, on which we can reasonably expect a substantial loss due to grade depreciation and the loss of the 4-percent-interest earnings we normally receive on funds on deposit in the Treasury.

5. If the tribe must delve into this principal 4-percent fund for support of Federal agency and tribal operations until termination, this fund will be left in a more precarious situation at a point of time when it should be in a sound fiscal condition.

From this brief analysis it will be easily observed how the modification of reimbursement of termination expenses will affect this tribe, which is being used to a large extent as a pilot operation in terminating Federal

services and supervision over Indian tribes in the United States.

This committee, which has functioned since January 20, 1958, is directly charged with forming the final plans for the tribe, based on studies made during the past 3 years by Wisconsin State and university staff officials and employees and others, required by Public Law 399, and is in a position to know the reaction of the Menominee people when H. R. 6322 was passed by the Senate in the form it will now no doubt appear before you. The tribe was very disappointed and disturbed. It is, however, deeply appreciative of the action taken by Members of Congress and others who worked for a reconsideration of the first report of the conference committee on H. R. 6322.

The tribe believes and knows that the termination of Federal trusteeship is a curtailment of treaty stipulations that have long existed between the United States and the tribe, by which the tribe was afforded many immunities not available to other citizens. The tribe feels that since the termination process was initiated by the Government and the Congress, and since it involved considerable expense necessary for study and planning by experts in government, forestry, industry, business, law and other subjects, that the Federal Government should bear the heavy expense incurred.

Because the tribe so definitely needs the extension of time provided in the bill, we respectfully urge that you do approve it.

Because the tribe has acted in good faith, and as expeditiously as it was able considering its degree of experience in these new affairs, in carrying out its responsibilities under Public Law 399, which have been found to be many and extremely complex, we also urge that the Government further consider full reimbursement to the tribe in accordance with its earlier commitment, when the Government knows the ultimate expense incurred by the tribe.

Sincerely yours,

GEORGE W. KENOTE,
*Chairman.*
GORDON DICKIE,
*Secretary.*
MITCHELL A. DODGE,
*Member.*

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

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## APPLICABILITY OF ANTITRUST LAWS TO ORGANIZED PROFESSIONAL TEAM SPORTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10378) to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 10378, with Mr. BOLAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CELLER. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I would like to ask who speaks for the great American public and who speaks for the great and vast army of American baseball fans? During the last few days there has been an inordinate amount of pressure exerted. I have been in this Congress for a great many years and I have never seen more pressure exerted upon Members than during the last week, pressure directed from the headquarters of the high commissioner of baseball and his counsel, Mr. Paul Porter. They have brought many, many representatives of baseball magnates down here to prevail upon the Members. Despite the fact that they have used every dodge and every ruse known to lobbyists, as far as I am concerned, I am standing by my bill.

That bill is the result of many arduous days of hearings not only during this session but during previous sessions of the House. And one of the important reports of the Subcommittee on Monopoly Power of the Committee on the Judiciary was to the effect that baseball was a business; that some of the sport had been squeezed out of it as a result of an inordinate desire by some baseball owners for profits, and that, therefore, baseball should come within the provisions of the antitrust laws, since it is a business. But it is not a business such as the sale of sacks of potatoes or the sale of steel. Team sports have unique qualities and therefore there should be certain exceptions from the antitrust laws. Thus the bill provides that where combinations and restraints are reasonable and necessary to the preservation of the sport, those who are within that combination or those who were the authors of those restraints should not be deemed guilty of violation of the antitrust laws.

As a result of those reports, my bill was fashioned and it is, in my estimation, a fair reflection of the conclusions and recommendations made by the Committee on the Judiciary over the years.

Now, is baseball a business? Well, we have but to look at some of the figures and see the profits that have been made out of baseball. The conclusion is that it is, of course, a business and hence must come within the purview of the antitrust laws.

Who is for the bill? Who is against the bill? As I said in my remarks under the rule, the owners, who might be in violation of the antitrust laws, are opposed to this bill. But the players are opposed to the substitute bill and are in favor of my bill. There is a clearcut declaration just this past week to that effect by the football players.

Now, let me give you a little history of the position of the baseball players and point out that the baseball owners, in my opinion, utterly abused their powers and pressured the players to be against my bill.

This is what happened. On February 8, 1958, the baseball players' representatives met at Key West and unanimously endorsed my bill with the "reasonably necessary" test. Let me read to you what the baseball players then said. It is a letter to me from their counsel dated February 24, 1958:

I think you will be pleased to know that at a regular meeting of the player representatives of the 16 major league baseball clubs held in Key West, Fla., on February 8, 1958, the representatives unanimously endorsed bill H. R. 10378, which you introduced in the House of Representatives on January 30, 1958, and which was recommended for favorable consideration by the Antitrust Subcommittee.

In their discussion of the proposed bill, prior to voting it their unanimous endorsement, there was particular consideration of the important phrase, "reasonably necessary," which appears in the bill. The discussion and resolution of the player representatives made it quite clear that they favored legalized continuation of the reserve clause and of franchise restrictions (covered by items (1) and (2) of H. R. 10378) provided that such continuation be modified by the rule of reason, as embodied in the words, "reasonably necessary," in your bill.

Then what happened? Ford Frick, high commissioner of baseball, and others, immediately called the player representatives on the carpet and read the riot act to them. Some players were so abject that they stated the reason for changing their vote was because they "thought the owners wanted it that way"; in other words, after they had been strongly importuned and very likely threatened and intimidated. The inference was plain that Ford Frick and the owners pressured these players and the players made an about-face and repudiated the unanimous endorsement of the Celler bill.

Which are you going to believe? That which the players did with uttermost freedom of conscience, with uttermost freedom of reason, or that which they did under coercion, that which they did under intimidation? I think the answer is crystal clear in that regard. In these circumstances, we must accept the first statement they made whereby they endorsed the Celler bill and the "reasonably necessary" test.

It is unfortunate that we have to debate a sports bill in these parlous terms. I would that we had some issue that was far more earth shaking, far more important, far more paramount. The Supreme Court, however, has rendered two decisions—one inconsistent with the other. In one, namely, the Toolson case decided in 1953, the Supreme Court in a narrow application of the rule of stare decisis and without a reexamination of the underlying issues, affirmed baseball's total exemption from the antitrust laws. In the Radovich case, the football case, the Supreme Court in 1957 ruled that professional football is a business in interstate commerce and that accordingly all aspects of football are subject to the antitrust laws.

But, in the Radovich case, the Court also said:

We, therefore, conclude (speaking of baseball) that the orderly way to eliminate error or discrimination, if any there be, is by legislation and not by court decision.

Thus, following the invitation of the Supreme Court, we are bringing forward this bill.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. YATES. Will the gentleman tell us what the status is of the reserve clause

under the Celler bill and what the status is of the geographical provision?

Mr. CELLER. I will try to make that clear. As a result of the hearings which we have held, the reserve clause, the geographical clause, the farm system, the commissioner's office, the draft system are found to be reasonably necessary for the operation of the game. They have been so shown in these hearings. Our report indicates that they have the imprimatur of approval and that they would not violate the anti-trust laws—period. What more can be asked, when we permit all these operations. Without the passage of legislation, all those operations would eventually be declared illegal. If a case came to the Supreme Court again, without the passage of some legislation, the Court would most probably pounce on these operations and declare them in violation of the antitrust laws. The Supreme Court indicated as much in the decision in the Radovich case.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. CRETELLA. Is it not so that in the hearings you also discovered some of the chicanery that went on with the draft and the option system and the reserve system and that they were subject to a lot of tomfoolery on the part of management and the owners, particularly with the draft and options. You found that to be so; did you not?

Mr. CELLER. There is no doubt of that. We try to approximate justice. Therefore, I would say when we put the words "reasonably necessary" in the bill, it would serve as a check of the excesses you have indicated.

Mr. CRETELLA. But, you found and you did discover from the testimony all the abuses in those things that I enumerated did exist?

Mr. CELLER. There is no doubt about it.

Mr. CRETELLA. And all you have now is a promise by the owners or by those who operate the leagues that they will behave and live up to the rules that they themselves could make?

Mr. CELLER. That would be true if you pass the substitute bill. You only have a promise.

Mr. CRETELLA. That is included in your bill?

Mr. CELLER. No.

Mr. CRETELLA. You say you are not touching the reserve clause or the options.

Mr. CELLER. I did not say that. If the reserve clause is continued, as it now operates it would be reasonably necessary. But if at some future time there should be some twist given to the reserve clause which would make it unjust, intolerable and unreasonable, then the bill prohibits it. The courts would frown upon it. You have to have this flexibility. You cannot measure this with a precision instrument or exact or precise words. What you say is true in the sense that the substitute relies upon a mere promise. Human nature being exactly what it is, such a promise is not worth a tinker's damn. See what Mr. O'Malley did. He left a profitable club location, left Brooklyn where he was making more money than any other team in either the National or the American League. He was making over $400,000 a year net profit and his receipts were larger than any other club. Yet his greed was so great that he moved his club elsewhere, where he thought he could make even more money. He banks on Chavez Ravine, where he thinks there is oil under the baseball field and he will hit some bonanza. Mr. O'Malley is no different with few exceptions than other baseball or football magnates. They are usually out for all the dough they can amass. As I said, they squeeze and squeeze every ounce of the sport out of baseball.

Mr. CRETELLA. I am glad the gentleman has said the promise might not be kept. Of course I expect to offer a substitute to the substitute that will correct that situation.

Mr. MORANO. Will the gentleman yield?

Mr. CELLER. I yield.

Mr. MORANO. I am sorry to hear the gentleman say that all baseball magnates are the same.

Mr. CELLER. I said with "exceptions."

Mr. MORANO. Well, I hope you have in mind the exception that I have in mind, for example, Mr. George Weiss of the New York Yankees. I do not think you could call him all the things you used to describe Mr. O'Malley.

Mr. CELLER. I am going to reserve my own decision as to the New York Yankees. I am not going to say that they have a clean bill of health. With all due respect to the gentleman from Connecticut, I cannot say that, because many things have happened in the Yankee Park that will not stand the light of day.

Mr. MORANO. I disagree with the gentleman, but will you say that all the things you said about Mr. O'Malley do not apply to Mr. George Weiss?

Mr. CELLER. What I said about Mr. O'Malley is that he is sui generis. That phrase applies to Mr. O'Malley. There is no one like him. I can assure you that Mr. O'Malley stands apart, and is a rather peculiar sort of gentleman.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. YATES. The argument is made against the gentleman's bill that professional sports are not a business; that it is entertainment. On this basis, could not the argument be made that other businesses in the entertainment field, such as the motion picture industry, for example, should be exempted from the antitrust laws?

Mr. CELLER. The gentleman is right. Furthermore, I would add that each of the organized sports, baseball, football, basketball, and hockey receives substantial revenues from radio and television broadcasts. In football the revenue from broadcasts alone determines whether many of the clubs operate at a profit or a loss. In baseball the minor leagues claim that televising of major league games threatens the ultimate destruction of the minor leagues. I can tell you that the big leagues—and I include Mr. Weiss and Mr. O'Malley—care very little about the minor leagues. They are doing what may be called eating their own young.

Mr. MORANO. Mr. Chairman, will the gentleman yield at that point?

Mr. CELLER. No. They get their talent from the minor leagues, yet they so conduct their television operations as to make it impossible for the minor leagues to prosper and to continue. Therefore, in the interest of the dollar, not in the interest of the sport, they are destroying the minor leagues. If that is not the earmarks of a business, then I do not know what business is.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I will yield once more; then I will have to ask the gentleman to desist.

Mr. MORANO. First of all, I want to tell the gentleman that Mr. Weiss is an honorable man. But what I want to say is that if you destroy the minor leagues, such as the gentleman suggests that Mr. Weiss, of the New York Yankees, is doing, you would not have any major leagues. So you have got to have the minor leagues.

Mr. CELLER. That is exactly what is happening. I did not say Mr. Weiss individually does that, but I say that collectively these magnates are doing that, and are guilty of eating their own young. And, as for honorable men, I have been reminded that Marc Antony said that Brutus "was an honorable man."

Mr. MORANO. Let me inquire further of the gentleman. He replied differently to the same question asked by the gentleman from Illinois and the gentleman from Connecticut. In one the gentleman said he permitted the farm system and so on, the minor leagues, and the profit and the option; in the other the gentleman was not so sure. Now, which answer must we take; that the gentleman gave to the gentleman from Illinois or to the gentleman from Connecticut?

Mr. CELLER. The gentleman is incorrect in attributing these actions to me—will the gentleman listen while I answer?

Mr. MORANO. Yes; I am listening.

Mr. CELLER. The gentleman from Connecticut is incorrectly attributing two conclusions to me. I said that these operations when reasonably necessary shall be legal and shall be perfectly proper.

Mr. MORANO. I interpreted——

Mr. CELLER. Let me finish.

Mr. MORANO. I interpreted the remarks of the gentleman——

Mr. CELLER. I am afraid the gentleman either did not hear me correctly or that his interpretation is improper. I am telling the gentleman what I said.

Mr. MORANO. The gentleman said that——

Mr. CELLER. Mr. Chairman, I decline to yield further.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield for a word right there?

Mr. CELLER. No; I want to read you some figures about radio and television revenues. Radio and television revenues

are of vital importance to the major leagues and make the major league club owners deaf to the complaints of the minors.

In 1956 alone, the total radio and television income of the eight clubs of the National League amounted to $3,025,000.

In 1956 the total radio and television income of the eight clubs in the American League amounted to $4,070,000.

The total of both leagues was over $7 million.

Both baseball and football are not only businesses operating in interstate commerce, but also are highly profitable businesses. In 1956 the Brooklyn Dodgers had a total income of $3,880,000. Their income from television and radio alone amounted to $880,270.

In 1956 the Dodgers had a net income of $487,000, and yet Mr. O'Malley was putting on a poor mouth about everything he was doing.

In the American League, in 1956 the New York Yankees had a total income of over $5 million. Their income from radio and television was about $900,000.

The Yankees' net income in 1956 amounted to over $301,000.

The 12 teams in the National Football League in 1956 received a total income of over $12 million and a radio and television income of $1,719,000.

The net income of the 12 teams in 1956 amounted to $1,159,000.

In the period between 1952 and 1956 the National Football League had revenues of $52,420,000. During this period the National Football League received $6,850,000 in radio and in television revenues.

The history of baseball is filled with abuses and in every decision that you can read concerning baseball there has been castigation after castigation by the jurist who heard the cases. In the Gardella case, decided in 1949 by the Court of Appeals of the Second Circuit, Judge Frank remarked:

> We have here a monopoly which, in its effect on baseball players, possesses characteristics shockingly repugnant to moral principles.

In another case, decided by the New York Supreme Court, the Chase case, we have the following:

> There is no difference in principle between the system of servitude built up by the operation of this national agreement which * * * provides for the purchase, sale, barter, and exchange of the services of baseball players—skilled laborers—without their consent, and the system of peonage brought into the United States from Mexico and thereafter existing for a time within the Territory of New Mexico.

In view of those very harsh statements issued by eminent jurists, and I can cite more, we must take pause. Are we going to give to these sport magnates and owners of baseball clubs complete freedom from antitrust laws to do whatever they wish; to make any kind of an arrangement among themselves concerning the operation of the game, concerning the players, concerning the public? That is exactly what we will do if we pass the substitute. I would say if we pass the substitute we would be disregarding the interest of the public.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Arkansas.

Mr. HARRIS. I know that the gentleman is tremendously concerned and interested in this. The gentleman has referred a good many times to the substitute and has given us a lot of information about Mr. O'Malley, and others.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I yield myself 3 additional minutes.

Mr. HARRIS. Mr. Chairman, could the gentleman take the next 3 minutes and explain in greater detail what the gentleman's bill will do, then what the substitute would do, so that the Members will have information on both of them?

Mr. CELLER. My bill simply provides that the antitrust law shall apply to team sports but not where an agreement or combination is reasonably necessary to the equalization of competitive playing strength, to the right to operate within geographical areas, or to the preservation of public confidence in sports contests. There is also permitted reasonably necessary regulation of telecasts and other broadcast rights.

The other bill, the substitute bill, says that the principal operations of baseball shall not be within the antitrust laws, that the owners shall have the unchallenged right conceitedly to engage in arbitrary and capricious conduct. They could make any kind of an agreement they wish. The only exception is with reference to players. Under the substitute, no player could be deprived of a right to bargain collectively.

My bill provides that baseball, like other team sports, shall be within the antitrust laws, but when it comes to agreements that are reasonable and necessary, like those I have mentioned, the reserve clause, the draft system, football players selection, those would be permitted. We have all that explained in our report, when the committee indicated that those were reasonable restraints.

As far as the substitute bill is concerned, there is no limitation. They could black out the whole Nation as far as television and radio are concerned and deprive all of us of free television, and could force us to view it over closed circuits. The substitute bill would give approval to the Yankee monopoly that exists in New York, as I indicated. One baseball team in a large city like New York with, as I indicated, 12 million inhabitants, could veto the coming in of a team to replace the Dodgers or replace the Giants. Finally they could boycott in many ways players for any reason good or bad.

Mr. HARRIS. Mr. Chairman, if the gentleman will yield further, could we not get the difference in these proposals before us down to a brief statement, something like this, and see if I do understand it. Does not the committee bill sponsored by you extend the antitrust provisions to all phases of professional sports with the exception of certain stated items in the bill?

Mr. CELLER. No; that is not exactly true. You have to read the bill in its entirety. Those kinds of agreements set forth which are reasonable and necessary would be permitted.

Mr. HARRIS. You give jurisdiction throughout the whole professional sports industry, and then you exempt certain things that would not come under the provisions of it.

Mr. CELLER. We only exempt what is reasonable and necessary.

Mr. HARRIS. Now, who is going to determine what would be reasonable and necessary?

Mr. CELLER. That is up to the commissioner of the sport involved. He would determine it, and then if anybody felt aggrieved, he could go to the courts.

Mr. HARRIS. The substitute bill takes out from under the operation of the antitrust laws professional sports as named here in the bill, team sports, and then it brings within the antitrust laws certain things that are considered to be business operations.

Mr. CELLER. Such as concessions and the sale of peanuts.

Mr. HARRIS. Well, commercial practices of all kinds.

Mr. CELLER. But only when it comes to the area of concessions the right to sell pop and beer and peanuts. That is what the substitute places under the antitrust laws; nothing else. I am reading from the substitute bill: "Any contract, any agreement, any rule, any course of conduct, any activity between the owners of the teams shall be deemed legal and proper." Now, that covers the waterfront. The only thing that they cannot do which might involve a violation of the antitrust laws are a very few business aspects, as I indicated before, which concern admissions, pop, beer, and peanuts. I call this the peanut substitute bill, and for that reason I do hope that the substitute will be voted down.

I just want to make this one additional point clear. Whenever we have granted exemptions from the antitrust laws, we have always set up some supervisory or regulatory agency. In the case of labor unions, we set up the National Labor Relations Board and the Department of Labor: In the case of shipping, we have the Maritime Commission. In the case of the airlines we have the Civil Aeronautics Board. In the case of the railroads we have the Interstate Commerce Commission. In the case of electric power and gas, we have the Federal Power Commission. Under the Defense Production Act we have the Attorney General's supervision over voluntary agreements. In every single instance where we have granted exemption from the antitrust laws, we have always substituted a supervisory agency to see that there were no abuses. Now for the first time we are seeking to grant all these exemptions, carte blanc, with no Federal supervision whatsoever over the owners. If you want to do that, that is all right with me. I do not want to set up any superbureaucratic agency. I am opposed to that. But certainly you should have the words "reasonably necessary" at least as a brake between the interests of the public and the interests of the

magnets. The brake to protect the public and the players would be "reasonably necessary." That is all my bill does, nothing more, nothing less.

Historically, the antitrust laws have been revered as a charter of freedom for American business. The prohibitions contained in the antitrust laws on all sides are held to be the bulwark both for our economic development and of our political freedoms. For years both political parties in their platforms have dedicated themselves to their vigorous support. These policies are not to be laid aside lightly. These are the minimum standards that we apply to business.

Critics of the antitrust laws and the authors of the substitute bills claim that the antitrust laws are a type of regulation. Do no be deceived. Nothing could be further from the truth. The antitrust laws, rather than being a system of regulation, are the direct opposite. They are a charter of freedom.

A. REGULATION

We are all familiar with regulation. Regulation means positive direction. When Congress established regulation over an industry, it creates an independent commission or board. This commission or board is given full authority to guide, direct and supervise activities within the industry. The antitrust laws are none of this.

B. ANTITRUST

The antitrust laws leave an industry free to go about its affairs with no direct Government supervision. Only when conduct in an industry transcends the limits established by law, are corrective measures taken. In reality, the antitrust laws only serve to curb the power of the unlawful, the unfair, the arbitrary, the predatory, and the avaricious, in an industry. The antitrust laws protect the defenseless from the strong.

The bill that has been recommended by the Judiciary Committee accommodates the policies of the antitrust laws to the requirements of the business conditions that are present in organized professional team sports. The bill applies the antitrust laws only to unreasonable acts that restrain the business of producing team sport exhibitions. The bill exempts from the antitrust laws all actions which are reasonably necessary for preservation and continuation of the sport.

Mr. KEATING. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, we are today considering legislation regarding the antitrust status of professional team sports as a direct result of several conflicting decisions of the Supreme Court. Under these decisions professional baseball has been granted a complete exemption from the antitrust laws while other professional team sports have been denied even a partial exemption. This discriminatory treatment is intolerable. I believe that all professional team sports should have equal status under the law and that none should be exposed to potentially ruinous antitrust litigation. I therefore agree with the distinguished chairman of the Judiciary Committee that some legislation is necessary. At the same time, I am convinced that his bill—H. R. 10378—does not satisfy the requirements for sound legislation on this subject.

The only effect of H. R. 10378 would be to place baseball under the same antitrust jeopardy which now confronts football, hockey, and basketball. This will eliminate the present favored treatment of baseball, but no friend of any of these sports will derive solace from the fact that their grievous situation is now shared by another national pasttime. In my opinion, what we need is a bill which will be equally good, not equally bad, for all professional team sports.

The bill introduced last week by the gentleman from Pennsylvania [Mr. WALTER], the gentleman from New York [Mr. MILLER], and the gentleman from Arkansas [Mr. HARRIS] and myself is designed to achieve the dual objectives of uniform treatment and protection from unwarranted legal harassment, in a clear and constructive way. At the appropriate time we intend to offer the text of this bill as a substitute for H. R. 10378. We have been assured that our substitute has the approval of both baseball and football. I know from the testimony at the hearings before the House Antitrust Subcommittee that it also is in accord with the position of professional hockey and basketball. This endorsement is demonstration enough that our measure meets the needs of professional team sports and deserves the enthusiastic support of their friends.

The pending bill does not have any such support. Indeed, I have received many letters and wires from fans, players, and owners stating their opposition to H. R. 10378 in the strongest terms. These people who know and love the game regard the pending bill as antisports and they are right. Those who have the welfare of these sports at heart will not support this bill in its present form.

I have carefully studied the court decisions and the record of the hearings before the House Antitrust Subcommittee on this subject and I do not find in either of those sources any justification for an antisports bill. In fact, in my opinion, this bill in its present form is utterly inconsistent with both the expressions of the courts and the overwhelming weight of testimony at the hearings of the subcommittee.

A brief review of the history of this subject will show this to be the case. This history begins with the 1922 decision of the Supreme Court in the Federal Baseball case. In that decision the Supreme Court unanimously ruled that the business of baseball was a purely State affair and that the playing of ball games could not be considered trade or commerce among the States. Contrary to what has been suggested here, this decision was not based either on the view that baseball was not a business or on the view that baseball did not at the time of the decision use the facilities of interstate commerce in presenting its exhibitions. The Supreme Court's opinion expressly refers to professional baseball as a "business" and points out that baseball was then using the facilities of interstate commerce in the conduct of its business. What the Supreme Court held was that baseball was unique and that the antitrust laws were inapplicable to it despite the fact that it was a business and that it used the facilities of interstate commerce. I dwell upon this because it shows early recognition of the uniqueness of the business engaged in by professional team sports and because it completely discredits any cavalier rejection of the Federal Baseball case on the ground that baseball was not then using the facilities of interstate commerce.

The decision of the Supreme Court in the Toolson case in 1953 was the next major milestone in the development of the law on this subject. In that case a 7–2 majority of the Supreme Court reaffirmed the decision in Federal Baseball that the business of baseball was not within the scope of the antitrust laws. The Court pointed out that in the 30 years since the Federal Baseball case Congress had not seen fit to bring baseball under the antitrust laws by legislation. In language which leaves no doubt as to the present status of baseball, the Court declared that "Congress had no intention of including the business of baseball within the scope of the antitrust laws."

These decisions did not produce any public outcry. It was apparently recognized and accepted as reasonable that professional team sports were not the kind of activity with which Congress meant to concern itself in adopting the antitrust laws. If there had been no further legal developments or if these decisions had been consistently applied to other team sports, I am sure that we would not today be considering this legislation. The 30 years of nonintervention would have been extended indefinitely without any suggestion that the Court misconstrued the intention of Congress on this subject.

However, in 1957, a majority of the Supreme Court in the Radovich case refused to apply the baseball cases to professional football. The dissenting opinions in the Radovich case forcefully point out the lack of any basis for the majority's holding that the business of baseball was not within the scope of the antitrust laws while the business of football was within their scope. In the language of Mr. Justice Harlan:

I am unable to distinguish football from baseball under the rationale of Federal Baseball and Toolson and can find no basis for attributing to Congress a purpose to put baseball in a class by itself.

Even the majority recognizes in its opinion that its ruling may be "unrealistic, inconsistent, or illogical." They suggest that the orderly way to eliminate the discrimination is "by legislation and not by court decision," and conclude in a plain invitation to legislative action that:

Congressional processes are more accommodative, affording the whole industry hearings and an opportunity to assist in the formulating of new legislation. The resulting product is therefore more likely to protect the industry and the public alike.

It is interesting to note that none of the opinions of the Court indicate that the problems raised by the inconsistent treatment of baseball and other team sports should be solved merely by enacting legislation placing organized baseball under the antitrust laws.

In response to the situation created by the decisions of the Supreme Court, several bills were introduced early in this session of Congress dealing with the antitrust status of professional team sports. These bills fell into three categories. The original bill introduced by the distin-

guished chairman of the Judiciary Committee would have placed all organized professional team sports under the antitrust laws without any qualifying limitations. As Chairman CELLER said in describing his bill, under it "the courts would be permitted to determine upon the facts of each individual case whether or not any particular agreement or trade practice constituted an unreasonable restraint of trade." Another bill introduced by the gentleman from Arkansas [Mr. HARRIS] would have provided a complete exemption of all professional team sports from the antitrust laws. Under this bill the decisions of the Supreme Court in the Federal Baseball and Toolson cases simply would have been extended to other team sports. A third bill, which I introduced, and similar bills introduced by other Members, attempted to follow a middle-of-the-road approach. Under these bills certain practices considered essential to the successful operation of professional team sports would be completely exempt from the antitrust laws, but the ordinary commercial activities of these sports would be subject to the antitrust laws. These bills formed the basis for the extensive hearings on organized professional team sports held during the summer of 1957 by the Antitrust Subcommittee.

I believe now, as I did when I introduced my original bill more than a year ago, that a distinction between the business and playing aspects of professional sports activities is proper and reflects the kind of accommodative legislative approach referred to by the Supreme Court. In my view, the other bills originally introduced either would have unreasonably interferred with the authority of sports to regulate their own affairs or would have unnecessarily undermined the interest of the public in subjecting ordinary business activities to the antitrust laws. My original proposal represented a moderate course between these two extremes which took account of the uniqueness of competitive team sports but was consistent with our basic antitrust philosophy. This is fundamentally the same approach followed in the bill introduced last week by the gentleman from Pennsylvania [Mr. WALTER], the gentleman from New York [Mr. MILLER], the gentleman from Arkansas [Mr. HARRIS], and myself, the text of which we intend to offer as a substitute.

Our chairman contends that the bill before us reflects the vital distinction between the business and playing aspects of competitive sports which I urged at the outset. It would appear, therefore, that even the gentleman from New York now recognizes that sports are unique and has abandoned—in form at least—his initial view that sports should be treated the same under the antitrust laws as industrial enterprises. Unfortunately, however, while this change in position is encouraging, its effect must be considered wholly illusory in view of the language of H. R. 10378.

The joker in H. R. 10378 is the phrase "reasonably necessary." This phrase coupled with other ambiguities in the text of the bill jeopardizes long established practices which all sports engage in to promote competition on the playing field. It places a legal cloud, for example, over present methods of selecting and retaining players, organizing leagues, allocating territories to specific teams, and even methods of preserving honesty in sports contests. In the hearings before the Antitrust Subcommittee witness after witness described these practices as essential to the preservation of the particular sport involved. As Commissioner Bell of the National Football League put it, the reserve clause and the player selection system "provide the lifeblood of our league." But under the terms of H. R. 10378, unless a judge and jury can be convinced in actual court proceedings that such practices are reasonably necessary for the continuation of the sport, they will become illegal.

Every member is aware of the uncertain and onerous nature of antitrust litigation. Testimony presented before the Antitrust Subcommittee indicates that at the present time it takes an average of 5 years to conclude a litigated antitrust suit. The consequences of a violation, even if unintentional, are three times the actual damages of the plaintiff. And of course if a criminal prosecution is brought, the violators, in addition, may be heavily fined and sent to jail. I do not believe that anyone will challenge the statement that antitrust litigation is more costly, more complicated, and more burdensome than any other litigation in the Federal courts.

What possible justification is there for subjecting the practices evolved by our professional team sports out of their own long experience to a process of judgment under antitrust standards and procedures?

Is there some grave threat to our economic system from the alleged baseball or football or hockey or basketball conspiracy which demands that sports be treated so severely?

Can anyone say with conviction that there is reason for foisting upon the already overburdened courts of this land an ill-suited role as arbiters of disputes within the sports family?

In my opinion these questions answer themselves and those answers expose as completely misguided the attempt in H. R. 10378 to deal with the playing aspects of baseball, football, hockey, and basketball under a codified antitrust doctrine. I do not say that the record of any of these sports has been perfect. But I do say that their record has been generally good; that they can be relied upon to continue to improve if they are let alone; and that the solutions of the problems of sports do not lie in conforming their playing practices to varying judicial conceptions of the requirements of the antitrust laws. I say further that constant intervention in the affairs of these sports by paternalistic do-gooders will lead to nothing but trouble for all concerned.

Our team sports have the loyalty and support of millions of fans. These fans would not tolerate an antitrust litigation spectacle which would undermine the morale and structure of their favorite sport. They want to see close competition on the playing field, not heated controversies in the courtroom. I know that this House will not let them down.

I am opposed to the pending bill in its present form.

Mr. GROSS. Mr. Chairman, will the gentleman yield for a question?

Mr. KEATING. I yield.

Mr. GROSS. What position do the players take as between the bill of the gentleman from New York [Mr. CELLER] and the substitute?

Mr. KEATING. The baseball players in general support the substitute measure. There were a few disgruntled ball players called before our committee who objected and who would object, I believe, today, to this measure. After the baseball players meeting to which the chairman has referred, letters and telegrams were received by me and I think other members of the committee indicating that when they first voted for the Celler bill they did not understand its provisions. They have since completely repudiated it.

Mr. GROSS. I thank the gentleman.

The joker in the bill before us, the joker is the phrase and I quote "reasonably necessary." This phrase coupled with other ambiguities in the text of the bill jeopardizes established practices which all sports engage in to permit competition on the playing field.

I will say to the gentleman from Illinois that the bill before us places a legal cloud over present methods of selecting and retaining players, organizing leagues, allocating territories to specific teams, even methods for preserving honesty in sports contests, and the reserve clause.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I must yield to the gentleman since I referred to him.

Mr. YATES. Does the gentleman insist on his position in view of the statement of the chairman of the committee that these activities are specifically exempted from the terms of the bill?

Mr. KEATING. The gentleman from New York, I am sure, did not say that they were specifically exempted.

Mr. YATES. He said that they were specifically exempted within the rule of reason.

Mr. KEATING. Yes; but that is the point.

Mr. YATES. If the gentleman will permit me to continue, that is the rule which is applicable to every type of American business today.

Mr. KEATING. The rule of reason applicable under the bill before us, would mean that the legality of the reserve clause is not made clear under this bill, but is dependent on whether a fellow wearing a black robe thinks this reserve clause is reasonably necessary to the conduct of the sports. I am sorry I cannot yield further to the gentleman.

Mr. YATES. I do not know what the gentleman means when he says "this bill." Does he mean your bill?

Mr. KEATING. I mean the Celler bill which is now before us. Despite what the committee report says, it does not exempt the reserve clause from the operations of the antitrust laws, but the substitute bill does do so.

Mr. YATES. That is correct. Specifically.

Mr. KEATING. That is correct.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. KEATING. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. I just wanted to say that the gentleman from New York has made a brilliant legal discussion upon this matter. This subject is one certainly that should be approached as a lawyer, and according to our law. But what I arose to ask the gentleman about is this: The statement has been made that baseball and football and so forth is big business. If I recall the testimony before the Judiciary Subcommittee—I was not a member of it, but if I recall it—the statement was made that there was more money received in a department store in New York City than there was received in the course of an entire year by all the baseball and football teams combined.

Mr. KEATING. The gentleman is correct. And if there are any major teams that are making money I ask: What is wrong with that?

Mr. CELLER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to call attention to the fact that, in the report filed by the subcommittee on the Study of Monopoly Power of the Judiciary Committee, in connection with baseball, the gentleman from New York joined in the report which was unanimous. In the report we have the following statement:

> Such a bill would state in general terms that the antitrust laws shall not apply to reasonable rules and regulations that generally promote competition among the baseball clubs even though they restrict competition of players' services as does the reserve clause, provided that such rule guarantees players a reasonable opportunity to advance in their profession and to be paid commensurate with their ability.

This report also laid down the rule of reason for baseball, and the report approves the rule of reason for baseball. The gentleman from New York, Mr. KEATING, signed that report.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. KEATING. What was the date of that report?

Mr. CELLER. The date of the report was May 27, 1952.

Mr. KEATING. Perhaps I gained more light over the years about this subject. My views matured, you might say. Also, I might add parenthetically that the metamorphosis in my thinking on this subject is as nothing compared to the changes in the attitude of the gentleman from New York.

Mr. CELLER. That is all right, but I think the burden is on the gentleman to explain why he has now changed his mind. He has indicated he has changed, but as far as I am concerned his reason does not wash, that is all.

Mr. Chairman, I yield to the gentleman from New York [Mr. HOLTZMAN] for the purpose of extending his remarks.

Mr. HOLTZMAN. Mr. Chairman, the Antitrust Subcommittee held extensive hearings on a number of bills to eliminate the discrimination that exists among professional team sports as to the application of the antitrust laws. The Antitrust Subcommittee held 15 days of hearings; the hearing record comprises 3 volumes. These hearings had been invited by the contradictory decisions that the Supreme Court had rendered with respect to baseball and football.

On the basis of this record, the Judiciary Committee has reported a bill to the House, H. R. 10378. Every provision of this bill has been considered fully by every member of the Judiciary Committee. The meanings of its terms may be found in the testimony of the witnesses at the hearings. Precise definitions of its provisions are contained in the Judiciary Committee's report, House Report No. 1720.

After all of this painstaking deliberation and careful consideration, at the 11th hour, this House is confronted with a substitute for the Judiciary Committee's bill. Nobody knows what these substitute bills mean. There have been no hearings. There is no report. All that you can tell by reading the substitute bill is that they exempt completely from the antitrust laws all of the important business activities in these sports.

I have long been convinced that some special consideration under the antitrust laws must be given to team sports. The unique business nature of team sports makes special antitrust consideration mandatory. I do not believe, however, this special consideration should consist of a complete exemption from the antitrust laws.

Never has Congress granted immunity from the antitrust laws and left the participants in the affected industry free to do as they please. However, the substitute bills would do precisely this.

In the past, whenever antitrust exemption has been granted, Congress at the same time substituted some form of supervision by responsible Government officials. Either the business was held to the standards of the general business law, the antitrust laws, or special regulation was substituted.

Nobody could seriously contend that team sports should be under regulation of a Government agency. There is no alternative, therefore, but to make some accommodation under the antitrust laws to assure that the owners of these baseball clubs and sport clubs are responsible to the interests of the players and to the interests of the public.

With a complete exemption from the antitrust laws, as contained in the substitute bill, the club owners will be responsible to no person and no organization. They will have absolute and arbitrary power among themselves. We must not repudiate the policy of the antitrust laws.

Team sports are in fact unique businesses. A club within a team sport cannot compete fully with rival clubs to secure the best player talent for itself. If each club did compete to the best of its ability, the larger and richer teams would outbid their opponents and raid them for the best players. The richer clubs would become so powerful that the sporting events would become one-sided and spectator interest in the contest would be lost. Without spectators, the entire industry would be placed in jeopardy.

To cope with this problem, each of these sports has devised an elaborate system of rules and regulations: First, particular players are assigned for the exclusive use of certain club owners; second, each club is given an exclusive territory which all other clubs in the sport must recognize; third, the club owners appoint a commissioner, who is empowered to enforce their rules and to supervise the activities of the sport for their benefit. Sanctions imposed by the order of the commissioner are enforced by boycott or other joint action of the club owners.

These are the factors which make team sports unique business enterprises. These are the very factors which make it mandatory that the club owners remain responsible under the antitrust laws. The opportunities for abuse by the club owners are unlimited. Some standard must be set in any legislation that is designed to endure for an indeterminate future.

It is clear that the business practices required by the unique nature of organized professional team sports probably could not be justified under present judicial interpretations of the meaning of the antitrust laws. The per se doctrine of antitrust violation developed by the courts does not permit justification to be given for certain conduct. In team sports, the practices for, first, allocation of territories; second, group boycotts to enforce the player-selection system and the reserve-clause-recognition system; and, third, the establishment of a commissioner with plenary powers over the industry, in all probability would fall within the per se doctrine of antitrust law. If this happens, detailed analysis might not even be permitted in a court proceeding to justify the reasonableness or necessity for these business practices.

The antitrust per se doctrine was recently applied by the Supreme Court in *Northern Pacific Railway Company and Northwestern Improvement Company against United States of America*—No. 59, October term, 1957; opinion, March 10, 1958. There the Supreme Court explained:

> However, there are certain agreements or practices which because of their pernicious effect on competition and lack of any redeeming virtue are conclusively presumed to be unreasonable and therefore illegal without elaborate inquiry as to the precise harm they have caused or the business excuse for their use. This principle of per se unreasonableness not only makes the type of restraints which are proscribed by the Sherman Act more certain to the benefit of everyone concerned, but it also avoids the necessity for an incredibly complicated and prolonged economic investigation into the entire history of the industry involved, as well as related industries, in an effort to determine at large whether a particular restraint has been unreasonable—an inquiry so often wholly fruitless when undertaken. Among the practices which the courts have heretofore

deemed to be unlawful in and of themselves are price fixing * * * division of markets * * * group boycotts * * * and tying arrangements.

I believe it is important that the per se doctrine should not apply to the business practices that make professional team sports unique. The Judiciary Committee's bill assures this result.

Whenever an activity in one of the organized professional team sports is challenged under the antitrust laws the Judiciary Committee's bill requires that such activity shall not be found to violate the law if the activity is reasonably necessary to accomplish the results that are enumerated in the bill. The committee's bill would assure that justification for all those activities that are necessary for continuation of the sport will not be barred by application of the per se doctrine. In fact, the bill requires that all such activities shall be approved under the antitrust laws.

The sponsors of the substitute bills contend that unless complete antitrust exemption is given to the club owners, even for unreasonable actions, the courts will be flooded with a multitude of antitrust suits. Do not be deceived by this argument.

Football, basketball, and hockey now all are subject fully to the antitrust laws. There has been no great multitude of antitrust suits in these sports. There has been no harassment by litigation.

It is commonplace for businessmen to raise the specter of litigation when amendments to the antitrust laws are considered. This is the time-honored argument when any effort is made to curtail the abuses of the powerful. The same arguments were made when the Sherman Act was originally considered.

These arguments were not persuasive then and it should not be persuasive now. In no instance has application of the antitrust laws resulted in any unreasonably burdensome litigation. No industry has been destroyed by application of the antitrust laws.

Baseball club owners are using this argument to mask the real reason they are opposed to the Judiciary Committee's bill. The real reason is that they want to be free to continue to be unreasonable in the way they manage baseball's business.

Look at the Judiciary Committee's bill and see how far it goes to accommodate the antitrust laws to the needs of team sports.

Under the bill, the reserve clause recognition system will be permitted. This is the system whereby the most important resource of the industry, player talent, is allocated among the competing team owners.

Even baseball players should have basic rights. In any other line of business, they would be entitled to practice their profession or calling without restraint. Under the reserve clause recognition system, however, the club owners decide when, where, and for whom the players can work.

Despite the opportunity for abuse in the reserve recognition system, the Judiciary Committee's bill permits it to continue. The bill requires, however, that the procedures used by the owners to enforce this system must be reasonable. The reserve clause recognition system contains too many opportunities for abuse for the owners to be completely free of responsibility.

Football's player selection system also may be continued under the Judiciary Committee's bill. This is the system whereby every college football player is allocated to a member of the National Football League. This is done by owner fiat, with the player having no voice in who he shall play for, where he shall play, or when he shall play. If the player does not agree with the owner's disposition for his services, he has no market in the United States for his best asset, football playing talent. Despite the tremendous power thus given to the club owners, the Judiciary Committee bill will permit reasonable application of the player selection system to continue.

The committee's bill also will permit continuation of exclusive territorial allocations among the various clubs. Under the present interpretation of antitrust laws, such market allocations could be per se violations of the antitrust laws.

The Judiciary Committee's bill also permits agreements that restrain radio and television broadcasts if they are reasonable and are necessary for protection of the minor league territories. Certainly Congress should not give the sports club owners carte blanche to interfere with the operations of another industry completely outside of organized sports. The substitute bills, however, would do exactly that.

The committee's bill permits the appointment of a commissioner for the sports and recognizes the rights of the owners to act jointly through his office.

What possible justification can there be for giving the sports club owners more protection than is given them in the committee's bill? I feel that Congress would be derelict in its duty to grant them complete exemption from the antitrust laws for their business operations. I urge my colleagues to support the bill reported by the Judiciary Committee and to oppose the substitute bills that have been offered.

Mr. CELLER. Mr. Chairman, I yield such time as he cares to use to the gentleman from Illinois [Mr. LIBONATI].

Mr. LIBONATI. Mr. Chairman, the proponent of this legislation has certainly covered the entire field thoroughly. He has placed before the House the question of whether or not team groups desire to be placed under the antitrust laws; and certainly by the Supreme Court decision in the football case they are amenable to the antitrust law.

The question is, how far do they desire to come under that law? Judging from the substitute bill they do not want to come under it at all.

The gentleman from New York has covered the ground so completely that anything I might say in accordance with my prepared remarks would be, I feel, repetitious. So I shall ask at the conclusion of my statement unanimous consent to place my remarks in the RECORD at this point, and I congratulate the gentleman from New York for his fortitude and courage in championing, supporting, and giving protection to the players that are held under a reserve clause, and because of this forced to sit on the bench in the minor league clubs because they are owned by the major league teams that win pennants and championships. Everyone knows that a ballplayer's playing life extends over a period of about 10 years. To be compelled to sit on a minor league bench for 4 or 5 of those years and not be permitted to participate in competitive games to increase his fame and maybe gain financially is unfair. I think it is an unfortunate situation and this legislation will have a remedial effect that will force a revaluation of these services and new methods of operation.

Again I congratulate the gentleman from New York.

Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Chairman, in the field of team sports, professional baseball, football, hockey, and basketball are various sports practices used subject to antitrust regulation; the Supreme Court has already decided, in a recent decision, that professional football is subject to antitrust law regulation. It is a fact that in sport practices the other listed sports—above—if a test case on appeal reached the United States Supreme Court as to certain operative practices each would be found—since the football court decision—subject to the antitrust laws.

The intelligent magnates, owners and promoters of the various sports seek some form of legislation to eliminate the present precarious position of their sports status, as well as their investments, under the football decision.

As a result, H. R. 10378—the Celler bill—was introduced, which provided that these team sports shall be exempt under the antitrust laws where the practices of the sport are reasonably necessary for its continuation as a business.

Mr. Bell, president of the professional football interests has approved this bill. On the other hand, the pro-baseball interests are opposing the "reasonably necessary" clause in the bill as a qualifying standard for the enjoyment of exemption status. This complaining group is fearful of being forced to resort to the courts to test as to what practices are considered reasonably necessary, because of the high costs of litigation and a resulting instability in sports operation.

To begin with, the professional sports enumerated here are now subject to the present antitrust law affecting their methods of operation.

Certain methods and practices have resulted in public criticism. All agree that the present state of baseball as a popular sport in America is heading for cemetery row. There can be no argument about it. The figures show that

the losses in attendance and the increasing disappearance of minor leagues, that at one time enjoyed the most important role in the production of career ballplayers—are now defunct. There are good reasons for their hurried demise—and the major league bosses, by their exercise of domination over them, are partly responsible.

Either we have regulation or no regulation at all. H. R. 10378—the Celler bill—gives the owners and their counsel an opportunity to conform their practices in conducting their business in accordance with established principles of a fair law. It places the burden to do so where it belongs, on the owners. Practices that are indulged in at the present time are unfair and without reason, and must be abandoned and be replaced by more modern and equitable procedures. As I said in my opening remarks, there is no reason why a star sitting on the bench of a minor league club should be deprived of his maximum earning power of his livelihood; he suffers the loss of fame, just because the major league club owning him is not yet in need of his services, as a replacement for a position already filled by another sterling ballplayer playing for a consistent pennant winner. The reserve clause should be modified.

Again I reiterate, it is a known practical fact that the life of a ballplayer in the major leagues averages 10 years—yet he may wait half that time to come up from the minors—ready, yet sitting it out with loss of earning power as a contract-controlled penalty; he owes his misfortune because of belonging to a top club. Other clubs whose weak position could be strengthened are deprived of his services. The public has a stake in the competitive standing of the teams and is deprived of enjoying and recognizing his talents. He is enslaved by a rotten system that destroys the incentive to even improve his play.

The minor leagues, in another phase by reason of the quick-taking right of the major clubs—1-day notice, and so forth—are robbed of their star-players by frequent raids in season. Thus, the minor-league fans, in disgust, lose interest in their teams with loss to the gate and finally the clubs fold up. More than one-half of the minor-league teams have collapsed and the rest can hardly survive in accordance with recent statistics. Also, many fans stay away from home games to listen to radio and view television of a major-league game played in a distant city while the minor-league team is playing a home game.

The wholesale signing of Negro baseball players in the Negro leagues, without consideration of the public interest and the local fans, and doing so without a systematic and methodical study of its consequences, has destroyed this important and irreplaceable training ground for Negro ballplayers. The sea-raiders had nothing on these baseball scouts in the employ of the major-league clubs. Certainly, intelligent self-regulation by the major league owners would have prevented this terrific loss of revenue by the minor-league clubs. But the tracking down of the almighty dollar blinds reason and destroys even the little fellow who, in this instance, may be owned by the major-league club, or has a contract to take the ball-players on a farm connection ownership basis. Love of money now results in the elimination of the very agency that supplied the younger players to the big leagues. So now they are raiding the high schools and colleges with bonus checks, before graduation. Destroying most of these youngsters by bringing them up to the big leagues immediately, result, so few stay. Why? Because it takes organized minor league experience to season and prepare the lad for the big competition. The managers of most of the minor-league clubs are former big leaguers and, with painstaking care, prepare a talented youngsters for his big-league dream and thus, fortify him with fundamental knowledge of the game, to better insure his success.

So there is certainly a need for regulation by law and H. R. 10378 does just that, for it provides that, in an area of sport practices, where equities and rights are involved, remedial practices must be considered. This cannot be left to the owners for mutual agreement, but can only be accomplished through the medium of our courts. If the magnates cannot show that the practice that they have set up is reasonably necessary to the maintenance and operation of the game, then they certainly, in law or common sense, have no right to continue such practices. As pointed out in this short survey, several of their practices are inimical to the game itself and have been contributing to the loss of attendance. The attendance in the majors fell off from about 62 million in 1949 to 32 million in 1957.

The New York Yankees won 8 pennants and 6 world series between 1948 and 1957; their attendance fell off from 2,373,000 in 1948 to 1,476,000 in 1957. Cleveland fell off 72 percent; Detroit 27 percent; Boston 24 percent, and Washington 43 percent. One-third of the major league clubs changed their home cities because of losses or mediocre returns.

Certain owners of a few major league ball clubs have complete control of the league power. They confine big league operation to a few cities and have a firm hold on the issuance of new big league franchises.

There are 8 cities in the United States that are entitled to and could lucratively support major league franchises. It has been suggested that there should be a reorganization of the major leagues—and, in fairness, should include the following: Minneapolis, Buffalo, Denver and Seattle. Our neighbors are high in the best baseball towns—Mexico City, Habana, Montreal and Toronto. Certainly, adding these franchises would highly stimulate interest and guarantee attendance for baseball—and furnish a new outlet for source supply of talented players. Our modern facilities of travel eliminate the former objection as to their major league participation.

The public interest should be protected and in order to insure the future success and protection of the former most popular recreation—baseball now ranks a poor fifth among sports—the passage of H. R. 10378 is mandatory.

Congressman EMANUEL CELLER is to be congratulated on his honest effort to save the sport, which is a native developed sport, of the American people. His opposition can only admit that the baseball owners are not in favor of any regulation and desire a status quo condition. In all my years of service in the Illinois Legislature—22—I never heard of the owner of any business enterprise or organization who did not fear regulatory laws affecting his business. The few owners of major league baseball clubs who are vociferously opposing this legislation are those few whose selfish practices have resulted in the necessity for the passage of this act. The same owners fear that if some semblance of legislation is not passed, namely, excluding baseball from the operation of the antitrust laws, that another test case will be their undoing.

The most unfortunate observation was the former approval of H. R. 10378—the Celler bill—by the ballplayers through the offices of their organization, who knew of the unjust servitude to which they are subjected. And then, sometime later, recanted by issuing a release to that effect. Talk about boss rule. A splendid article appeared in Life magazine, issue of February 24, 1958, on page 113, by Larry MacPhail, entitled, "A Pulmotor for Baseball." He was one of the most controversial figures in baseball and introduced both night games and television to the game. He minces no words over the fallacies and stupidity of past and present baseball practices. He is a straight thinker and years ago pointed out and argued with some of the owners of the majors, the pitfalls and problems that are plaguing them today. It is a treat to follow his logical and practical solutions, together with his detailed and masterful discussion of cause and effect. He is not only a student of the business of baseball but, by straight thinking, foresaw many present consequences of the uncontrolled exploitation of the players, the minor leagues, and the public interest. We are greatly indebted to Mr. Larry MacPhail for his frank and exhaustive treatment of this subject.

H. R. 12991 and H. R. 13071, according to newspaper and magazine articles, cannot be considered as real regulatory legislation. Really, outside of a few limitations upon operation of the concessions and radio and television broadcasts, actually insure the owners of no interference of the law relative to remedy the present questionable status of the ballplayer in his relationship to his profession. The present practices and intricate devices used by the owners to dominate and dictate the policy of the minor leagues are not affected at all by H. R. 12991 and in H. R. 13071 destroys the entire program of the major and minor league working agreements such as they are for their mutual interest and welfare, and if passed may further lead to practices of subterfuge to accomplish legal goals.

Congressman EMANUEL CELLER has the answer. If a procedure is questionable, he who complains goes to the law—if it is a reasonably necessary procedure, the law will protect this practice in order to insure the healthy growth and financial security of the enterprise, even though, in the general application of the practice in other fields of business, it would be prohibited. The Commissioner of Baseball has the obligation to determine what is "reasonable and necessary" to sustain the game in its business relationship to its existence.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I want to commend the chairman of our committee, the gentleman from New York [Mr. CELLER] for his zeal in this matter. I know that he has the same ultimate goal in what he has to say about this legislation and this field of legislation as the rest of us have. That is to preserve professional team sports in this country in a manner most consistent with the public interest.

I regret that I must disagree today, as I have from the outset, with his point of view. Nonetheless, I do deeply appreciate the thoroughness with which he has presented the argument on his side of the question. I do not have any prepared statement, but in view of what was said earlier about the contents of H. R. 10378 and the proposed substitute which I understand the gentleman from Pennsylvania [Mr. WALTER] will offer, as I interpret those 2 proposals, we have this situation: In the so-called Celler bill for the first time in the history of this country by judicial decree or legislative decree the sport of professional baseball would be placed under the antitrust acts—Sherman, Clayton, and the Federal Trade Commission Act. The language of that bill, on line 6, after referring to those acts says they shall apply to the organized professional team sports of baseball, football, hockey, and basketball.

In the substitute which has been offered in this House as H. R. 12990, after referring to those acts, the first thing said in line 6 of this so-called Walter proposal is that those antitrust acts "shall not apply to any contract, and so forth."

In the chairman's bill 4 exemptions are set forth. Those same 4 exemptions appear in the substitute, with 1 further exemption. That exemption is "the employment, selection or the eligibility of players or the reservation, selection or assignment of player contracts."

Something has been said about the situation of professional football. Under the decision of the Supreme Court professional football must have some sort of legislation, otherwise they will be carried to destruction as a result of defending lawsuits. No one wants that to happen to the professional sport of baseball or to football. So while baseball has enjoyed immunity by reason of court decisions, football has had to give in—perhaps back in April or prior to that time—to legislative thoughts which were not quite as palatable to them as this proposed substitute which the gentleman from Pennsylvania will offer. So with the club over their head they have been more easy to get along with about legislation.

Mr. Chairman, I am interested in professional sports of all kinds and in their preservation. I know that all Americans are proud of our sports. I know that professional team sports have been clean except in a few instances. When those evidences of uncleanliness have occurred there has been a public revulsion that has caused them to clean their houses.

I am not anticipating that we are in any danger of destruction of sports through misconduct or through mismanagement. I merely take the position that I take in this matter because it is my feeling that all sports, baseball, football, hockey, and basketball, these team sports, are entitled to be exempted from the antitrust laws in the respects set forth in both the Celler bill and in the proposed substitute.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MILLER].

Mr. MILLER of New York. Mr. Chairman and members of the committee, as a cosponsor of the substitute bill which will eventually be offered by the gentleman from Pennsylvania, [Mr. WALTER], I wish to make it perfectly clear that I disagree with the chairman of the committee when he says it is too bad that the committee at this time should have to consider this legislation when there are so many more important things that might be considered. Baseball, as a national pastime, was considered important enough by the late President Roosevelt to continue its existence during the war, because he felt as a national pastime it was an integral part of our very way of life.

Now, this pastime, along with other team sports, as a result of current Supreme Court decisions, stands in danger of being utterly and completely destroyed and to vanish from the American scene unless this Congress enacts legislation which is necessary for its protection and its continued existence.

Now, regardless of what the chairman has said, it is my opinion, as a member of the subcommittee and as a member of the full Committee on the Judiciary which considered this legislation, that this bill, H. R. 10378, does absolutely nothing except to put all team sports completely under the antitrust laws. The present antitrust laws, the Sherman Act, the Clayton Act, and so forth, provide that only those things shall be a violation of the antitrust laws which are deemed to be unreasonable or not reasonable and necessary for the conduct of the business. That is all the chairman's bill does. It applies the rule of reason to every single facet of baseball operations, including the draft system, the reserve clause, player contract, territorial rights, and everything else.

Read the bill. It says that all of these acts shall apply to the organized professional team sports of baseball, football, basketball, and hockey: Provided, however, that no contract, agreement, course of conduct, or other activity among teams or groups of teams engaged in these professional team sports which is reasonably necessary to—(1) the equalization of competitive playing strengths and so forth. That is the rule now without this legislation at all.

And, who determines what is reasonably necessary? Under all of our existing statutory and common law, what is reasonably necessary has been construed and always will be construed as a simple question of fact, and it will therefore be determined by 87 different judges in 87 different Federal districts in the United States and different juries sitting in 87 different sections of our country. They will make up the varying determinations from day to day as to whether or not this particular reserve clause or player contract is or is not reasonably necessary. It will allow no actions instituted against a ball club to be dismissed on motion for failure to state a cause of action.

There will be a cause of action stated in every case and it will be a question of fact for a jury in every case as to whether that particular clause or particular rule is reasonably necessary or it is not. The defense of these lawsuits alone would be enough financially to destroy most of the ball clubs of America today even if they won the lawsuits eventually.

Mr. HARRIS. Mr. Chairman, will the gentleman yield for a question?

Mr. MILLER of New York. I yield to the distinguished gentleman.

Mr. HARRIS. The gentleman has given a lot of thought and study to this problem, and I want to commend him and, as a matter of fact, the entire committee, for their consideration of the problem. But I am somewhat confused by the phrase or provision in the committee bill, and perhaps the gentleman having participated in the hearings—and I might say that I, myself, participated as one of the witnesses for about 2 hours one morning—perhaps the gentleman would explain the language on page 1 reading:

> That no contract, agreement, course of conduct, or other activity among teams or groups of teams engaged in these organized professional team sports which is reasonably necessary to—

Now skip down to (3):

> The preservation of public confidence in the honesty in sports contests.

Could the gentleman shed any light on that? Does that mean reasonably honest or just how is it to be applied?

Mr. MILLER of New York. Mr. Chairman, I will admit that the language is confusing. As a matter of fact, on that very point, the gentleman will note that it provides:

> That no contract, agreement, course of conduct, or other activity among teams or groups of teams engaged in these organized professional team sports which is reasonably necessary.

Of course, that would exclude all contracts between a team and an individual, which would be the individual's contract, and includes, of course, certain

provisions for options, and so forth, in addition to which it excludes completely agreements between leagues. I presume what is meant to be covered by that particular language is that any agreement between teams for the election of and the payment of, for instance, a commissioner of baseball, in order to enact rules and regulations, to promote integrity in the sport, would conceivably be covered.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield to my Chairman, of course.

Mr. CELLER. Of course, the language that the gentleman from Arkansas read was "the preservation of public confidence in the honesty in sports contests" is also in the gentleman's own bill and in the Walter bill.

Mr. MILLER of New York. Except that we approach it from the affirmative instead of the negative way. We eliminate it from the antitrust laws.

Mr. CELLER. In other words, it is in both bills and it means, of course, what the gentleman has said, the setting up of a commission.

Mr. MILLER of New York. That is right.

Mr. HARRIS. Mr. Chairman, will the gentleman yield further?

Mr. MILLER of New York. I yield to the gentleman.

Mr. HARRIS. Since the committee put this particular provision in the bill, naturally the bill that we are sponsoring could not leave it out. We would not want to give the impression to anyone in the country that we do not believe in honesty and integrity in sports. Consequently we could not afford to be caught in a trap like that.

Mr. MILLER of New York. Mr. Chairman, if the committee please, what the substitute bill does is to take completely away from the antitrust laws and the operation of them all of the sport or playing features of the game. And that is as it should be. That is vitally necessary if we are to preserve these sports that are engaged in by millions and millions of people and watched by, in baseball alone, 32 million people last year. In business it is the objective of one businessman, for instance, to compete as strenuously as possible with his competitor, and if possible to drive him out of business; and the more he can get of the market, the better for him and the more successful is his operation.

But that, of course, is contrary to the very purpose, the very basis, the very spirit of competitive team sports, because if you allow one team to gain access to all of the good players then you do not have an equalization of playing strength, you thus destroy even competition on the playing field, you thus destroy the value and interest of the public, and you thus destroy the attendance at the games of not only those teams which have the poorer players but also those sponsored and in the hometowns of even those having the best players, because of this lack of competition and the equalization of playing strength which is so vitally necessary to the continued preservation of this sport.

That is why these sports are unique. That is why they are sports and not businesses, because you do not wish as a sponsor or owner of one team to destroy the financial stability and the capabilities of your competitors, or thus you destroy the sport and the activity for all.

As a consequence, if we are going to preserve these sports for the benefit of all the people in this country, and all the public want this, we are representing the public when we keep these sports out from the intervention of Government. That is why I will support wholeheartedly the substitute to be offered by the gentleman from Pennsylvania [Mr. WALTER].

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Chairman, our antitrust laws are simply not designed to regulate team sports. The purpose of those laws is to prevent monopolies and to insure competition and free enterprise in trade and commerce in goods, wares, and merchandise. Sports are a business and in some instances they are a profitable business, but they are not a business that deals in goods, wares, and merchandise.

The practical effect of the application of the antitrust laws to sports will be just the opposite of the purpose and intent of those laws. It will destroy good competition and interesting games and thus take what profit there is out of the business.

If some regulation is needed to protect the interest of participants and the spectators and the public, let us draft legislation designed for sports. Let us not attempt to wed sports to legislation designed to regulate an entirely different field of endeavor.

I think all of us understand the dilemma of the gentleman from New York [Mr. CELLER]. The "Bums" have left Brooklyn. The Yankees reign supreme in Gotham. All is gloom along the banks of the Gowanus, and they no longer yell, "Kill the umpire" in Flatbush. But, as they say in Brooklyn, "Leave us not be precipitous in our dilemma." In the absence of the complete elimination of the application of the antitrust laws to sports I urge support of the substitute which will be offered by the gentleman from Pennsylvania [Mr. WALTER].

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Is it not a fact that the inclusion of the phrase "reasonably necessary" would provide the only assurance for a test of what is in the public interest, because if that test were eliminated, then the owners of the clubs could make any agreement or agree to any restriction regardless of whatever effect it would have upon the public and against the public interest.

Mr. HYDE. No, if I may answer the gentleman from Ohio this way, I agree entirely with the Supreme Court in its first decision on this subject, that the antitrust laws are not applicable.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield.

Mr. YATES. The gentleman from New York [Mr. KEATING] suggested that the only ones in baseball who did not agree with the position taken by the owners of the baseball clubs were certain disgruntled players. It is my understanding that Bob Feller was one who disagreed with the position taken by the owners; does the gentleman from New York consider Bob Feller to be a disgruntled baseball player?

Mr. HYDE. I cannot speak for the gentleman from New York and I do not know who is disgruntled or who is not disgruntled. I am speaking for myself on this subject.

Mr. KEATING. Mr. Chairman, will the gentleman yield, so that I may answer the gentleman?

Mr. HYDE. I yield.

Mr. KEATING. No. 1, I do not consider Bob Feller a disgruntled player and I should, in my statement, have made exception in the case of Mr. Feller. He made certain objections to certain of the provisions of present organized baseball practices, but he did not go as far as the Celler bill. However, all of the other players who appeared before us who did object to present baseball practices fall in the category of disgruntled players.

Mr. YATES. Mr. Chairman, will the gentleman yield for a further question?

Mr. HYDE. I yield.

Mr. YATES. Whenever a business has been exempted from the antitrust laws in the history of this legislation, there has been a regulatory commission established to supervise the operation of that business, is that not correct?

Mr. HYDE. I do not know whether the gentleman is entirely correct on that, but I know that that has sometimes been so.

Mr. YATES. An example is the case of public utilities.

Mr. HYDE. And if that is necessary in this case, I say let us have separate legislation dealing with this subject, but let us not try to put sports under laws that are not applicable.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I rise in support of the Walter-Keating-Miller-Harris substitute for the Celler bill. Of course, this problem came as a result of the Radovich case in the football matter which has been previously discussed which found that football was subject to the antitrust laws. Baseball has never been subject to the antitrust laws as was recently held in the Toolson case. So the fundamental issue before the Congress at this time in this legislation is: Should baseball as well as football be brought in by legislation as subject to the antitrust laws and, if so, under what circumstances and under what provisions? The Celler bill says we should bring them in and we should, in effect, adopt for baseball the football rule of reasonable necessity for all the

aspects of conduct of both football and baseball. The Walter-Keating-Miller-Harris substitute provides that instead of accepting the Radovich reasonably necessary rule for all aspects of baseball, football, and other team sports, there should be certain aspects of the sport, because they are competitive sports, and so far as baseball is concerned, has never been held subject to the antitrust laws and it as well as these other sports are covered and it should be exempt, in effect, from this reasonably necessary rule. That is the distinction between the two bills, as I see it. In other words, the Celler bill suggests, and it has been highly publicized and highly propagandized and highly advertised as a sports relief bill. As I see it, this bill is anything but. It is a straitjacket, a legislative straitjacket into which Congress is insisting contrary even to the opinion of the Supreme Court, that baseball as well as football should be subject. Another aspect of these two bills is that in the Keating bill the question of employment is included and in the Celler bill it is completely excluded. In the Keating bill, the provision on page 2, which is an exclusion, "employment, selection, or eligibility of players and the reservation, selection or assignment of player contracts" is contained in the bill as an exclusion from antitrust laws and is completely eliminated from the Celler bill, and I believe it should be excluded in this legislation.

And I congratulate the chairman, knowing the serious and lengthy consideration he has given to this legislation. But, when it is being advertised as a sports relief bill and I say it is putting sports into a legislative straitjacket, it is being advertised as a relief bill and, yet, it will have the following effects. The bill, as reported by the majority of the committee, will have these effects. It deprives baseball of its exemption which has been consistently found to be an exemption by the Supreme Court. It leaves entirely unresolved the legality of the principal practices in issue in other team sports, and it forces the Federal courts to intervene in all sports disputes. This question as to what reasonably necessary means, I predict as provided in the majority bill, if it is enacted into law, will mean litigation and, as has been stated before, endless litigation as to what reasonably necessary means as applied to the exemptions as suggested under that rule.

So, as I see it, I think the gentleman from New York [Mr. MILLER] stated clearly and succinctly the difference between the two bills. The difference is simply that the Celler bill applies the rule, as stated in the football case, the Radovich case, to all sports, and brings them all under exactly the same rule of reasonableness. It is anything but a relief bill. Yet it is being advertised as a relief bill. If it is to be a relief bill we should adopt the substitute in order that these sports might be given relief in these exclusionary fields, as set out in the bill, for the purpose of excluding those specific aspects of the sport in order that they may continue to be competitive as sports without unnecessary restrictions and governmental intervention.

That is the difference between the two bills, as I see it. So I intend to support the substitute to be offered by the gentleman from Pennsylvania and others.

I yield back the remainder of my time.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. RODINO].

Mr. RODINO. Mr. Chairman, the decisions of the Supreme Court on the application of the antitrust laws to organized professional team sports require that Congress take some action. We cannot tolerate the present situation to continue where two business enterprises, that in all essential aspects are the same, have their conduct subjected to contradictory standards. That is the present situation in the sports field where football is fully subject to the unmitigated force of the antitrust laws while baseball is totally exempt from any of the provisions of the antitrust laws. In this situation Congress must act. The only question is: What is the best course for Congress to follow?

After long deliberation, the Judiciary Committee has recommended to the Congress a bill which would resolve this discriminatory antitrust treatment that now confronts team sports. The bill that the Judiciary Committee recommended was considered fully and carefully. I believe it contains the correct solution to this dilemma. I hope that the membership of the House of Representatives will follow the recommendation of the House Judiciary Committee and adopt H. R. 10378.

The sports bill was recommended by the Judiciary Committee. The bill would make the commercial elements of baseball, football, basketball, and hockey subject to the antitrust laws and would exempt from the antitrust laws those sports activities reasonably necessary for preservation of the game.

Mr. Chairman, a few minutes ago one of my colleagues referred to Bob Feller. I would like to add that none of us can possibly believe that Bob Feller intends to destroy baseball in any fashion or is in any respect a disgruntled baseball player. Let me quote from his testimony before our Antitrust Subcommittee; and I refer to page 1328 of part 2 of the subcommittee's hearing on organized professional team sports wherein I directed several questions to Mr. Feller:

Mr. RODINO. I note in your statement, and you are pretty strong in your assertion, that if the attitude of the owners is permitted to continue it would much more surely hurt baseball than would its coverage under the antitrust laws. How would it hurt baseball?

Mr. FELLER. I mean by hurting the ballplayer. I am interested in the ballplayer being as independent as he possibly can be, and under the present conditions he is not independent. He can see where men like to see as many play baseball as can, and there is not as much freedom.

As far as hurting baseball, I think that the antitrust laws will help baseball, with those exceptions which you have discussed, sir. I think it would give the public more confidence in baseball if the game is played like any other business. It is a wonderful business. It certainly is a business, and it is one of the best in this country. I like to see it be called a business. What is wrong with baseball being a business? I can't see a thing wrong with it. As far as I am concerned, it is the best business in the world.

Let me read from pages 1329 and 1330:

Mr. RODINO. In other words, do you feel that there is much to be done by way of correction for some of the difficulties that exist in baseball, and that mainly by legislation you might be able to straighten things out?

Mr. FELLER. Yes, sir; I do.

Mr. RODINO. And is that the reason why you are encouraging youngsters? I notice by your statement—and of course, it is a well-known fact—that you are mighty interested in fostering little leagues, and that you have been very instrumental back in your home State in doing just that. Do you do this because you feel that conditions will get better and these youngsters may have better opportunities than you have had?

Mr. FELLER. Yes, sir. I think baseball back in 1948 or 1949, I believe, nationally drew around 60 million. Last year it was around 32 or 33 million, almost 100 percent off. It is certainly time to take stock.

Of course, after the war everybody had a lot of money, they were baseball hungry. There was nothing to buy with money, not many things manufactured. They were at the ball parks. I remember the games we had in Cleveland. Of course, it was a great exception. We may not ever see it in our times. I think baseball is going to come back where it was very soon. Anything I can do to assist it, I would like to do, like encouraging youngsters. I was very fortunate, and a lot of ballplayers have been blessed with a good arm or good eye or a lot of ability, but the average journeyman player, who played it for a living year to year, there is not too much of a future to look forward to—he is the man I am here for.

Mr. RODINO. Of course, I might say, Mr. Feller, as one who has followed your career very closely—and I know a lot of youngsters remember you as a great hero of baseball—that what you have had to say here will undoubtedly have great impact. Certainly I hope that we can do the things that we feel are necessary in the interest of continuing this fine pastime considering both the interest of owners and the ballplayers.

Mr. FELLER. I think when this is over, there will be a cool breeze going through all of baseball—I hope.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield.

Mr. SANTANGELO. Did not Mr. Feller also state that the reserve clause which is in the bill should be subject to the rule of reason; that ballplayers should not be tied as to their activities for more than a certain period, that they should not be made peons, and that they should be able to try to negotiate for their services and get as much money as they could?

Mr. RODINO. I would like to say to the gentleman that Mr. Feller emphasized in his testimony before the committee that there should be legislation which would bring organized team sports including baseball, under the antitrust laws and that this would help baseball. He felt this would help not only the star in baseball but the ordinary journeymen as well, as he calls them, who never get to the big leagues.

Mr. Chairman, in considering legislation for organized professional team

sports, our committee was faced with many complex and difficult problems. It held extensive hearings to consider these problems, during the course of which numerous witnesses from all phases of these four team sports testified. It was the objective of the committee in reporting the bill to take every effort needed to insure sufficient flexibility by the participants in the business of providing sports exhibitions to assure that the sport could continue. At the same time, however, the subcommittee recognized the necessity for erecting safeguards against abusive business practices which could destroy the sport or were contrary to fundamental principles of American competitive enterprise.

I believe the bill recommended by the committee accomplishes these objectives. Under the provisions of the bill, organized baseball, for example, could continue those agreements and rules among the teams and leagues that are reasonably necessary for continuation of the sport. The committee's bill would permit baseball to continue to maintain its present reserve clause, the player draft and its farm systems. It would permit agreements in organized baseball for territorial divisions among the teams and would allow baseball to impose such reasonable restraints on television and radio broadcasting as are needed to preserve these territories.

Further, the bill follows the course unanimously favored by the House Antitrust Subcommittee in its 1951 investigation of baseball. In that report, submitted May 27, 1952—House Report 2002, the subcommittee unanimously favored application of the rule-of-reason doctrine to baseball's activities. On page 231 of its report the subcommittee said:

> A statute granting a reasonably limited exemption for the reserve clause would avoid the principal objections to either a blanket immunity or a flat condemnation of organized baseball's reserve rules. For this reason the subcommittee has carefully considered the wisdom of recommending the enactment of broadly phrased legislation intended to accomplish this objective. Such a bill would state in general terms that the antitrust laws should not apply to reasonable rules and regulations which promote competition among baseball clubs, even though they restrain competition for players' services—as does the reserve clause—provided that such rules guarantee players a reasonable opportunity to advance in their profession and to be paid at a rate commensurate with their ability. This type of legislation would lay down a rule of reason for baseball. It would give no protection to activities designed to thwart geographic realinement of major league franchises, or to arbitrary blacklisting of players in the course of a war against an independent league. On the other hand, the reasonable and necessary utilization of the reserve clause would be protected against successful antitrust attack.

At that time, the subcommittee decided that in view of the cases then pending, it was premature to enact special legislation for baseball. Accordingly, legislation embodying the rule of reason was not recommended.

Nobody has a greater concern for the welfare of team sports, particularly baseball, than I have. I would do nothing that would have the slightest tendency to jeopardize continuation of this sport as the great American pastime.

Despite my concern for the welfare of the sport and the authority of the owners to conduct their business affairs, however, I also recognize that the players have an interest which must be of concern to the Congress. The committee bill has provisions to accomplish just that.

It must be remembered that, in each of these sports, the owners have perfected a system to assure the services of a particular player to a particular team. This is accomplished through the reserve clause recognition system.

I was the first to contend that some form of the reserve clause is essential for the preservation of organized professional team sports. I would do nothing to destroy its effectiveness.

Certainly Congress must do something to protect the workingmen even in such unique types of business as professional team sports.

The bill recommended by the Judiciary Committee strikes a happy middle ground. The owners are given ample opportunity and an exemption from the antitrust laws to take the kind of joint action that is needed to preserve sports contests in the United States. The players, on the other hand, are given an opportunity to have their grievances against unreasonable conduct on the part of the owners decided in court.

We should also note that, under the bill recommended by the Judiciary Committee, some restraints on radio and television broadcasting are permitted. However, such restraints must be reasonable and must be demonstrated to be necessary for the preservation of the sport.

It is true, and I was one of the first to recognize it, that the minor leagues need some protection from the television broadcasts that the major leagues are now doing for profit. However, the American viewing public also has an interest in this matter.

It is up to us in Congress to assure that baseball does not deprive the American public of an opportunity to use their television sets for sports events at all. We should not, however, make it possible for a television blackout to be imposed so that the club owners could concertedly force pay TV down the throats of the American public. I think that if Congress would give such broad authority in the field of television to the club owners, we would and should be deafened by the complaints of our constituents.

I want to again urge my colleagues to accept and support the bill that the House Judiciary Committee has recommended. This bill has been the subject of prolonged hearings and is the product of mature deliberation as to all of its terms. The meaning of its provisions are set forth in the committee's report.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield.

Mr. CRETELLA. In testifying before the committee—I was not a member of the committee, but I heard a great deal of the testimony, a number of witnesses spoke of abuses both as to the reserve clause, the option clause, the farm system and other things.

Mr. RODINO. I think the gentleman is correct.

Mr. CRETELLA. And they insisted that it was known to the team magnates, the owners, that it existed.

Mr. RODINO. I believe the gentleman is right.

Mr. CRETELLA. And that is what Bob Feller and other witnesses objected to.

Mr. RODINO. Yes.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from Illinois.

Mr. YATES. There has been some ambiguity as to the position taken by the football players. Do I understand that the football players, the professional football players, are opposed to the substitute bill and prefer the Celler bill?

Mr. RODINO. That is correct. They have recently stated they are opposed to the substitute. As a matter of fact they sent a telegram dated June 20, 1958 to that effect.

Mr. YATES. Yes.

Mr. RODINO. My recollection is that the commissioner of professional football also supported the Celler bill. I received a telegram several months ago to that effect wherein he stated that he believed that organized team sports could live under the Celler bill which contains the "reasonably necessary" clause.

Mr. YATES. The telegram of June 20 to which the gentleman refers is from Creighton Miller who is legal counsel of the National Football League Players' Association. That telegram is opposed to the substitute bill offered by Messrs. WALTER, KEATING, MILLER, and HARRIS; is that correct?

Mr. RODINO. That is correct.

Mr. YATES. In the event the substitute bill is approved would it be possible for the owners of organized baseball or organized football to combine to prevent the televising of their sports?

Mr. RODINO. In my opinion, that would be possible. They could, with impunity from the antitrust laws, black out a whole area by agreement and, thus make it impossible for the viewing public, that cannot attend a ball game, to see that game on television. I am sure many constituents of mine would rebel should they be deprived of the games that they now enjoy on television.

Mr. YATES. They could also black that out as far as radio is concerned?

Mr. RODINO. That is correct.

Mr. YATES. Is it possible under the substitute bill for the owners of the teams to get together and prevent photographers from particular newspapers from using the ball park?

Mr. RODINO. That also would be permitted without running afoul of the antitrust laws.

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. CRETELLA].

Mr. CRETELLA. Mr. Chairman, I take this time to ask one of the sponsors of this substitute some questions with

reference to it. Among other things there are permitted to continue, the present setup as to contracts, agreements, course of conduct and so forth; so that you are not touching the reserve clause, you are not touching the option system nor the farm system under this bill. That is correct?

Mr. KEATING. Yes; that is correct.

Mr. CRETELLA. Then you refer in subdivision 1 to the equalization of competitive player strength of teams. How can that be accomplished, the equalization of competitive players' strength of teams, if the present system of farm teams, options and reserves are still permitted to continue? If you have a team like the Yankees, which is a good team, and have men on the bench and not on the farms, they are never going to play big league baseball, are they?

Mr. KEATING. I am sorry, I was interrupted. I will have to ask the gentleman to repeat his question.

Mr. CRETELLA. If the strong teams are permitted to carry on and still operate their farm teams and the waiver system still remains as at present, how can the weaker teams ever strengthen themselves if the option waiver and the farm systems still continue?

Mr. KEATING. I realize that the gentleman in the bill which he has proposed would seek in 1960 to do away with the farm system.

Mr. CRETELLA. That is correct.

Mr. KEATING. Let me deal with the farm system. I realize that there are cases where the farm system has worked to the prejudice of some competing team which does not have a farm system. But to do away completely with the farm system would, in my judgment, wreck baseball as we know it today. It may be that the time will come when we can do away with the farm system, but today many of these teams are built up by their farm system and nearly all of them do have farms.

The word "farm" must be broadened in that respect to include affiliated teams, because the team in my own city is no longer a farm of the Cardinals, but they have some informal working arrangement with the Cardinals which is helpful, and to do away with the farm system is not just realistic.

Mr. CRETELLA. Let me ask another question with reference to broadcasting and televising in certain areas under your bill. Now, unlike the claims made by the gentleman from New Jersey [Mr. RODINO], that there would be blackouts in his District, under my proposal—and I think you can go along with my proposal—it does prevent broadcasting and televising only to areas where there are minor league teams playing, so that if a minor league team is playing on a particular weekday there shall be no broadcasting or televising of big league games on that particular day. That is one of the reasons why the minor leagues are in the precarious position they are in today.

Mr. KEATING. I am very sympathetic with the position of the minor leagues. I, however, think that the gentleman's provision with regard to broadcasting would be more injurious to them than the one set forth in the substitute, and that is borne out by the fact that I have a telegram to the gentleman from Connecticut, of which a copy was sent me, from Mr. George Troutman, president of the minor leagues, who objects to the gentleman's provision about television and favors the provision in the Walter-Keating-Miller-Harris substitute.

Mr. CRETELLA. As a matter of fact, I can tell the gentleman that as late as 4 o'clock yesterday afternoon I received word by a representative of Mr. Troutman who said the teams would pledge themselves not to televise in those areas. Now, that is the distinction between your proposal and mine. In your proposal you leave it to the leagues themselves and to the magnates themselves. My proposal spells it out.

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Chairman, I have the profoundest admiration and highest respect for the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER]. I regret that I am not able to go along with him on his bill, because I have firm convictions that it goes a little too far.

Now, Mr. Chairman, I see here that the great Committee on the Judiciary seems to be divided. I would like to inquire of the chairman of the Committee on the Judiciary what the vote was when this bill was reported to the House.

Mr. CELLER. The vote was 17 to 15.

Mr. MORANO. Well, there you can see, Mr. Chairman, that this issue in the Committee on the Juidicary itself has caused a great deal of concern. There was not anywhere near a substantial majority. It was almost split right down the middle.

Mr. Chairman, I intend to support the substitute bill.

Mr. CELLER. That does not necessarily follow, that there was a split down the middle as far as the substitute was concerned.

Mr. MORANO. Well, there was no vote taken on the substitute.

Mr. CELLER. No.

Mr. MORANO. But it certainly indicates that there was a split on the bill that the committee reported.

Mr. Chairman, I rise in support of H. R. 12990, and urge its prompt adoption.

It seems to me that the time has come when the Congress should dispel the cloud of uncertainty which has hovered over the conduct of professional sports in this country, that has blown across the Nation by the conflicting Supreme Court decisions on that subject. Regardless of legalistic reasoning, it seems difficult, if not impossible, to discern any logical basis for the distinction, now in existence, between the conduct of professional baseball and the three other sports—football, basketball, and hockey.

Since the first baseball decision handed down in 1922, baseball has had the coveted position of not being subject to the antitrust laws. The Court in the case of the Federal Baseball Club of Baltimore against the National League of Professional Baseball Clubs held that the business of presenting baseball exhibitions was a personal effort and thus was not a subject of commerce, and any interstate transportation connected with the exhibitions was a mere incident and not the essential thing. The Supreme Court in later decisions reanalyzed its reasoning as to the content of interstate commerce, and overruled its prior reasoning by pointing out that personal effort could be commerce and thus subject to regulation by Congress if interstate in character or affecting other commerce that was interstate in character. The baseball decisions gave rise to the contention that all professional sports would be exempt from the antitrust laws. However, in the consideration of Radovich against the National Football League, the Court held that professional football was subject to the antitrust laws. The Court did point out, however, that the doctrine of the baseball cases must yield to Congressional action and continues only at its sufferance.

Congressman WALTER's bill, H. R. 12990, declares the inapplicability of the antitrust laws to certain aspects of professional team sports. The bill declares that the antitrust laws shall not apply to any contract, agreement, rule, course of conduct or other activity by, between, or among personal conduct, engaging in or participating in the organized professional team sports of baseball, football, basketball, and hockey which relates to, first, the equalization of competitive playing strengths; second, the employment, selection, or eligibility of players, or the reservation, selection, or assignment of player contracts; third, the right to operate within specified geographic areas; fourth, the regulation of rights to broadcast and telecast reports and pictures of sports contests; or fifth, the preservation of public confidence in the honesty in sports contests.

Mr. KEATING. Mr. Chairman, I yield 6 minutes to the gentleman from New York [Mr. DOOLEY], who by the way made the longest pass in the history of football.

Mr. DOOLEY. Mr. Chairman, I rise in support of the substitute bill H. R. 12991.

Professional football, baseball, basketball, and hockey, are played within a framework of activity so different from the usual activities of interstate commerce as we know it as to merit distinctly special consideration.

Legislation designed to govern the conduct of sports, their administration and their own respective player arrangements, can only be a handicap and a burden which will militate against them.

The growth and development of American sports constitute a bright saga in our history. They have helped make our country what it is. They have not been perfect in their conduct, but to have them harassed by restrictive legislation and subject to constant and demoralizing litigation, and made the prey of well-intentioned and honorable judges whose knowledge is based on vicarious experience alone, would be tragic indeed.

The provisions of the antitrust laws never contemplated or envisioned the problems that sports may be said to generate. These problems are indigenous to sports alone and to try to fit sports

activities into the pattern of such law is to try to fit a square peg into a round hole.

There is nothing today in the way of legislation that prevents the players from forming protective associations or of guarding their own personal interests. If there are impositions on player freedom of action, they may be said to be due only to the pattern of the particular sport the player is engaged in. By these rules they must abide if the sport is to continue to exist, and there must be tacit understanding between managers and players of the conduct and protocol of each field of endeavor.

No less a baseball authority than George Trautman, president of the National Association of Professional Baseball Leagues, says, and I quote:

> The Celler bill purports to exempt certain "reasonably necessary" practices of baseball, football, basketball, and hockey from the antitrust laws. Actually it grants no such exemption but, instead, creates a requirement that the reasonableness of each and every rule and agreement of these sports be tested in Federal courts whenever challenged. Thus the bill would take from baseball the rights it has enjoyed for years under Supreme Court decisions and which have been largely responsible for the growth of the professional game to its present popularity.
>
> The minor leagues join the majors—and the players—in opposing the Celler bill and in support of the substitute. This substitute would accord fair treatment to all four organized sports through a clear declaration of exemption of their sports practices from the antitrust laws.
>
> Minor league baseball has suffered severely in recent years. If it is to survive, it cannot sustain the additional burden of defending the endless litigation which unquestionably will result if the Celler bill is adopted. The proposed substitute will give baseball and other sports proper relief.

In the Celler bill the words "reasonably necessary" look fair and reasonable, but they are deceptive. Actually, what these vague words mean and how they would be applied in a particular case are completely uncertain and cannot be known in advance of a trial.

Baseball firmly believes that its rules and practices are fair, reasonable, and necessary to the proper conduct of the game. These rules and practices have been established by trial-and-error experience over many years. There is nothing in baseball's record which justifies forcing upon it the task and expense of defending all its activities in numerous court actions.

First. Under the Celler bill, baseball in a trial would be required to establish that its rules, agreements and activities were reasonably necessary within the undefined meaning of the bill. This greatly encourages plaintiffs to attack baseball—and other sports—because the Celler bill says baseball as a whole is subject to the antitrust laws and so gives the plaintiff a running start.

Second. It would be a question of fact for a jury as to what is "reasonably necessary." Plaintiffs in treble damage antitrust actions almost invariably ask for juries. What may be reasonable to one jury may be unreasonable to another. Judges likewise may differ. Consequently, no uniform standard of reasonableness for baseball to follow would be developed, no matter how many trials were held.

Third. Any business is entitled to defend an antitrust suit on the basis of the reasonableness and necessity of its activities unless certain practices, such as price fixing—not present in baseball—are involved. The Celler bill, by specifying exemption for certain "reasonably necessary" activities, may by implication mean that baseball cannot defend itself under the rule of reason as to any activities not specified. This result, whether or not intended, illustrates the indefiniteness and unfairness of the "reasonably necessary" language.

Fourth. If the Celler bill is enacted, baseball would be threatened with a flood of litigation—over the reserve clause, player contracts, territorial rights, expansion of leagues, formation of leagues, and so on. The antitrust laws intentionally invite litigation by offering the plaintiff treble damages plus his attorney fees. Antitrust litigation is the most lengthy, complicated, expensive, and unpredictable form of litigation. The average case takes 2 to 3 years in the trial court and equally long for the almost inevitable appeals. The cost of such litigation could easily bankrupt a club, even though it wins its case.

At the time of the Toolson decision in 1953, previously referred to by the distinguished gentleman from New York [Mr. KEATING], seven antitrust suits were pending against organized baseball claiming aggregate damages in excess of $13 million. These suits were filed in six different district courts spread from New York to Los Angeles. Although none of these cases went to trial, the cost in legal fees and expenses to the baseball defendants aggregated several hundred thousand dollars. The Celler bill is an invitation to renew and accelerate this harassing litigation which baseball simply cannot afford.

Even with the Toolson decision and without the Celler bill, the commissioner of baseball and other baseball parties have been named as defendants in two treble-damage suits which are pending today and which ask a total of $2,200,000 in treble damages.

THE BASEBALL BUSINESS IS NOT BIG BUSINESS

Baseball is a business and it attracts very large public interest, but it is not big business by economic standards. It has never been accused of price fixing or price gouging or of similar practices which so affect the public economy as to require imposition of the antitrust laws.

The economic data filed with the Antitrust Subcommittee in 1957 also shows that organized baseball is not a very profitable business. The average annual net income of the 5 years 1952–56 for all 16 major-league clubs taken together was only $29,150 per club. Eliminating the two most profitable clubs, the average annual net return was a loss of $13,896 per club. Some of the clubs reported losses every year. The great majority of the minor-league clubs report a loss year after year.

The total gross income from all sources, from all of organized baseball in the United States, major and minors, in 1956 was approximately $60 million. This is less than one-half of the 1956 volume of business done by a single department store in New York City. Each of more than 570 large corporations of the country had a gross income in 1956 which exceeded the gross income from all of baseball from all sources. Indeed, the net income from many of these corporations after taxes was greater than baseball's gross income.

From this it can be seen baseball does not have the financial means to pay the cost of defending numerous antitrust suits and still remain in the business of providing professional baseball.

Mr. RODINO. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. HERLONG].

Mr. HERLONG. Mr. Chairman, I rise in support of the substitute which will be offered by the gentleman from Pennsylvania [Mr. WALTER], and I hope it will have the support of every friend of baseball as well as the friends of all other organized team sports.

There has been a great deal of talk here today on the subject of all of these big magnates in baseball and how much money they have made. I am afraid we have been prone to judge this whole picture in the light of what the New York Yankees or the erstwhile Brooklyn Dodgers have done.

I am speaking to you here today as one who has a particular interest in the survival of the minor leagues. It is true that the most glamorous names and theoretically, at least, the best baseball is played in the major leagues, but where would they be without the minor leagues?

For some time I had the privilege, Mr. Chairman, of being the president of a minor league, and at one time I was president of a club in a minor league. There have been many changes in the entertainment habits of the American people since that time, but I can state from personal experience that the practices of organized baseball are sound and that they are in the public interest, and should certainly not be disturbed by the Congress of the United States.

I do not say that this substitute is the panacea which will cure the ills of baseball but it does have the advantage of permitting the men in baseball to sit around the table and seek solutions free from the threat that their decisions may be challenged in the Federal courts.

I believe that the men in baseball are entirely competent to deal with and settle their complex problems without intervention either by the courts or by the Congress.

My basic objection to the bill which was reported by the committee is expressed in the additional views filed by 15 members of the committee in the committee report.

Baseball, as you know, has long enjoyed and operated under the exemption of the old Federal Club case in 1922. This judicial policy was ratified in the Toolson case in 1953. Thus contracts, arrangements, and practices were historically developed and the national pastime has enjoyed popular public support under its present method of operation.

I do not think the author of this committee bill, H. R. 10378, would so intend it, but in my judgment the enactment of the bill that he has proposed would repeal outright the exemptions which have heretofore been granted to baseball and other sports and would subject them to needless and endless litigation much to their detriment and would constitute a threat to the survival of the game as we know it today.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield.

Mr. FORRESTER. I think the first time I knew the distinguished gentleman who is now addressing us from the well, he was the president of a minor league baseball association in the State of Florida. Perhaps, the gentleman has as much experience in baseball as any Member of the Congress. I believe the gentleman also knows in a limited way that I was also president of a baseball league in my State. I want to ask the gentleman on the basis of his experience, both as a baseball man and as a lawyer, experienced in the courts, does the gentleman know of any activity in the United States that has been cleaner over the years than has professional sports?

Mr. HERLONG. I do not know of any team sport that is cleaner than organized professional baseball.

Mr. FORRESTER. Let me ask the gentleman this question, and I am asking the gentleman as an expert witness because I know he is an expert. Can professional baseball and professional sports live under the Celler bill?

Mr. HERLONG. In my judgment, they cannot.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield.

Mr. VORYS. I know, as the gentleman does, George M. Trautman, Red Trautman, the president of the National Association of Professional Baseball Leagues. The home office of the association is in my hometown, Columbus, Ohio. George Trautman is a lifelong friend of mine. He was a great athlete at Ohio State University in his day and a great coach. He is a fine gentleman, a fine citizen, and his outstanding work has been clean and fair to the players, to the various clubs, and to the public. I know the gentleman will agree with that.

I support the substitute he recommends.

Mr. HERLONG. I thank the gentleman and concur in the fine things he has said about my good and able friend, George Troutman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HERLONG. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HERLONG. Mr. Chairman, baseball is not "big business" in the sense that we generally use that term. In the minor leagues professional baseball is in fact a community or civic enterprise where everyone loses money, but it provides wholesome entertainment for many people in the process. Financial data submitted to the subcommittee shows that in 1956 the gross revenues of all of baseball, majors and minors alike, from all sources—including admissions, radio and television revenues, concessions, stadia rental, and so forth—were only slightly in excess of $60 million for that year. Some major league clubs showed a substantial profit from their operations and others lost money. But for the 16 major league clubs combined the average net before taxes in 1956 was only approximately $29,000 per club. Thus it must be concluded that the operation of baseball is of no economic significance to the country. But think of the number of people who enjoy it. Its widespread public following is such that Congress must legislate to free it from unnecessary and harassing burdens rather than add to those burdens. The proposed substitute would be an important step in the right direction. Let us examine, if you please, some of the important statistics that clearly demonstrate the popular esteem which baseball now enjoys. Last year more than 7,500,000 young men and boys between the ages of 6 and 21 years played organized baseball in some form. More than 2,500,000 youngsters played on organized, uniformed, and coached teams, playing regular schedules. We are all familiar with the magnificent work done by the American Legion and the fascinating activities of the Little Leagues throughout the United States. Last year the American Legion sponsored 23,000 teams with 600,000 youngsters playing the great American game under Legion auspices. It should be noted that these activities were given financial assistance by organized baseball, and more than $250,000 in recent years has been donated by organized baseball to the American Legion to assist them in promoting this great activity. The Little League last year had more than 750,000 kids on more than 40,000 teams playing supervised baseball. This is indeed a great American institution which must be encouraged and protected and under no circumstances should Congress pass legislation telling baseball to go into the courthouse and justify its practices.

Every one of these little leaguers and certainly every minor leaguer dreams of one day becoming a world series hero. He is willing to work untiringly to become good enough to make it. Are we going to shatter these dreams? Are we going to destroy this incentive? Unless we adopt this substitute that is just what we will be doing.

It is my position, based upon firsthand experience, that, if any evils or abuses develop, the public and the press are quick to expose them and the fine sportsmen in baseball are quick to supply the remedies. At this point I wish to compliment the chairman of the House Judiciary Committee and the members of the Antimonopoly Subcommittee for the painstaking inquiry that they have made, particularly into baseball. I emphatically disagree with the conclusion that the majority seems to have reached that we should subject all of these practices to judicial tests and repeal the exemption which baseball has justified in the courts. However, the hearings that have been held beginning with the hearings in 1951 have, in my judgment, had some salutary effect. Baseball men are usually preoccupied with fielding a championship team. Naturally in any system some inequities and abuses develop. That is human and understandable. As a result of the hearings baseball has voluntarily made certain changes in its practices which the committee felt should be reformed.

This is tangible proof that the people in baseball not only can handle their own business, but they can handle it in the public interest.

Mr. Chairman, I hope that we adopt the substitute proposal by an overwhelming vote. If we do it will constitute a vote of confidence in baseball as it is now conducted and will be a challenge to baseball as a whole to continue to develop programs and procedures to extend and strengthen the fundamental base of the sport, which is the minor leagues.

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, although there is controversy concerning the form in which this bill should be passed, I hope no one will get the impression that we can let this occasion go by and not legislate at least in some fashion and get the legislation over to the other body and get the approval of the President at the earliest possible time in order to change the situation we are in as the result of a Supreme Court decision.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. KEATING. I share the gentleman's hope and I know the gentleman has a real interest in the football situation since he represents that area which gives to football the great Green Bay Packers. The gentleman has talked with me many, many times about this problem and I commend the gentleman on the fine manner in which he has analyzed the situation which exists with these professional teams sports and the great need for some legislation. I hope the gentleman feels that the substitute bill will be even more helpful to football than the bill which was presented to the House originally.

Mr. BYRNES of Wisconsin. I thank the gentleman. I sincerely appreciate the fine cooperation of the gentleman from New York [Mr. KEATING].

Mr. Chairman, it is absolutely necessary that Congress pass legislation to exempt certain aspects of organized team sports from the antitrust laws. The Supreme Court has invited such action. Unless we do act, we will have marked professional football, baseball, basketball, and hockey for extinction.

On April 15, 1957, I introduced H. R. 6877 to accomplish the objective of removing those aspects of their operation which are peculiar to sports and essential to their continued existence from the operations of the antitrust laws.

I commend the committee for its action in reporting legislation in this field. It is overdue and I would hope that we will act favorably here today and that the other body will promptly approve legislation in order that the present disturbing situation created by the Radovich decision of the Supreme Court will be corrected.

I would like to speak briefly about the situation as it relates to professional football. Baseball has a similar problem as a result of the threat of a similar court decision as that handed down in the Radovich case. As far as football is concerned, however, it is faced not with a threat but with a fact. Football now is subject to the antitrust laws. It is open now to antitrust attack. This attack, unless the law is changed, could be fatal.

The heart of the matter is that as a result of the Radovich decision, the player selection system—the draft, and the reserve clause in players contracts are in jeopardy. These two features are essential to the continuation of professional football as a national sport. If they are now outlawed as being in violation of our antitrust laws, then the net effect is to outlaw professional football on a national basis. That, in a nutshell, is the problem.

The draft insures the equitable distribution of the available new football talent, thus making possible continuing competition between the various teams of the league. The reserve clause, retaining for a team the services of a player for at least 2 years, is necessary if a smoothly integrated team, in an era of split-second timing of intricate football plays, is to be developed.

Unfortunately, football's new status under the antitrust laws subjects these two features to a flood of litigation and harassment. The resulting burden of legal fees and court costs will make it difficult for professional football to keep its head above water financially. And, if the result of such litigation is the outlawing of the draft and reserve clause, then professional football simply cannot operate successfully.

No sport can long exist without competition. There will be no competition worthy of the word if these two features are eliminated. This is the point at which professional sports differ radically from the normal business. The professional sport must present keen rivalry and close competition to be successful. When all of the talent and ability is confined to 1 or 2 teams, you have no box office and you no longer have either a sport or a business.

I speak with special concern, and with some knowledge, because I represent in Congress a city which fields one of the pioneer professional football teams—the Green Bay Packers.

The Packers are owned by a nonprofit corporation whose stockholders are 1,700 citizens of Green Bay and Wisconsin who bought shares of nonprofit stock during the blackest periods of the team's financial history. These stockholders elect a board of directors who operate the team through an executive committee. None of these officers receive compensation.

It might well be said that the Packer football team is a community project. We in Green Bay are proud of our team. I emphasize the word "our" team, because that is just the way all of us feel about it, and that, in fact, is what it is, a community team.

We are proud of their record—six national championships.

We are proud of the players who are an integral part of our community. Young men come at first to play ball but soon make Green Bay their permanent home and become a part of every facet of our community life. I might mention that my predecessor in Congress was a former Packer star—Lavern Dilweg.

The Packer football team is an important part of Green Bay, and Green Bay is an important part of the team.

Green Bay is by far the smallest city in support a professional football team; it is perhaps the smallest city in the Nation to support any major league athletic team. It does so under constant difficulties.

The successful operation of a major league team in a city of some 60,000 people is not easy. When we were national champions in the early 30's our population was only 37,000. Even though we draw from a 200-mile radius of Green Bay, we do not have the spectator potential of the other teams. We must make up for that by a higher concentration of spectator enthusiasm and interest, and that interest and enthusiasm can come only by fielding a representative team. Without the draft or the reserve clause, we could not compete for the players to build and maintain such a team. If these features of pro football were true restraints of trade, Green Bay, a pygmy among giants, would have gone out of existence long ago, and certainly would be the first to be harmed. Instead, these devices, born of necessity, are the reasons the Green Bay Packer team is still alive. It simply could not compete with teams from the Nation's most populous cities unless it could get its share of football players and keep them for a minimum development period.

The vicious part of the Supreme Court ruling is its retroactive effect upon the National Football League and its teams. Since the formation of the league, the assumption has been, based upon the baseball decisions, that football was outside the scope of the antitrust laws. This assumption forms the foundation of football's structure. The Supreme Court, itself, recognized the harm which would result from changing the rules in the middle of the game. It said, in the Radovich ruling:

> Vast efforts had gone into the development and organization of baseball since (the Federal Baseball) decision and enormous capital had been invested in reliance upon its permanence. Congress had chosen to make no change. All this, combined with the flood of litigation that would follow its repudiation, the harassment which would ensue, and the retroactive effect of such a decision, led the Court to the practical result that it should sustain the unequivocal line of authority reaching over many years.

There, the Court was speaking of the dire effects of repudiating baseball's status. The same harm to football flows from the repudiation of football's long-standing status. It was probably this realization which led the Court to damn its own decision as "unrealistic, inconsistent, and illogical."

In Green Bay, the Packers are more than a team, they are an institution. They have become so enmeshed in our social and economic life that their loss would be a catastrophe. We name our kids after Packer stars. We not only have a Packer Quarterback Club to secondguess the coach; we have a Women's Quarterback Club to second-guess the Men's Quarterback Club. There are as many trade uses for the name "Packer" in Green Bay as there are uses of the word "Capitol" in Washington. The economic effect in Green Bay of losing the Packers would be as bad, relatively speaking, as removal of the seat of government from the District of Columbia would be upon Washington. This whole structure has been built up over a period of years under the assumption that the team's legal position was solidified. Its destruction, by retroactive application of a novel Supreme Court decision, is unthinkable.

Let me cite a specific and concrete example of loss to the community in the event the Radovich ruling is allowed to stand.

Nineteen hundred and fifty-five was a year of decision for Green Bay and the Packers. The team had outgrown the old and obsolete wooden City Stadium from which the packers had operated for years. A new stadium was needed, and this required a basic decision by the city as to whether such expenditure was justified. The city fathers, after investigation and debate, decided it was. They felt professional football, after 36 years of operation, was here to stay. They had confidence in the local team and its management. They felt that the team's widespread fan support would continue to grow, as the area in and around Green Bay has prospered and grown. No question entered their minds as to the soundness of the legal base on which professional football rested. They felt there was little or no difference between football and baseball, and baseball's status had been reaffirmed in the Toolson case in 1953.

The city council, therefore, approved a stadium bond issue, subject to a referendum by the voters. In the spring of 1956, the bond issue was overwhelmingly approved by the citizens. Plans were drawn, contracts were let, and construction of a new million-dollar stadium began that fall. The stadium was completed in time for the opening of the football season last fall.

The Radovich decision was handed down on February 25, 1957. That decision retroactively condemned a basic assumption of the people of Green Bay that the legal structure of pro football was firm.

If we are to see a continuation of professional sports as part of our great American pastimes, we must reverse the action of the Supreme Court decision which brought these sports under the antitrust laws.

As to the specific bill before us, I would hope the House would amend the committee bill in order to remove the "reasonably necessary" test. This provision can serve only one purpose; namely, to foster litigation and harrassment.

I therefore support the views of the 15 members of the committee who filed additional views in connection with the committee report.

The essential thing, however, is that we act promptly to correct a dangerous situation. To do nothing, I am convinced, is to act to destroy, for no good reason, sports which have brought enjoyment and relaxation to millions of Americans.

Mr. CELLER. Mr. Chairman, I yield the remainder of my time to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Chairman, I rise in support of the bill H. R. 10328. I question seriously whether the people who sponsored the substitute bill believe that organized professional sports is not a business.

Mr. WALTER. Will the gentleman yield?

Mr. SANTANGELO. I yield.

Mr. WALTER. I for one certainly believe that it is. I am sure a vast majority of the American people are sure that it is.

Mr. SANTANGELO. You believe that it is a business?

Mr. WALTER. I said a sport.

Mr. SANTANGELO. If baseball and football are not a business, then we are deluding ourselves. As sports are conducted today, it is certainly a business. Whether we pass the Celler bill or the substitute bill, sports will prosper. The proof of the pudding is in the eating. I have heard Members say that millions of losses may ensue because we might pass the Celler bill which provides for the rule of reason. After the Radovich case, which said that football was covered by the antitrust laws, not one lawsuit was begun against the football magnates and the football owners. Football has prospered. Not one suit was started against any of the baseball teams since the Radovich case.

How many people are we talking about in organized baseball? We have heard that millions of people play ball. We are not talking about the millions of children and men who play ball, we are talking about the 16 major-league groups, the 8 Pacific Coast League groups, the 11 Class AAA groups, the 22 Class AA groups, the 25 Class A groups, the 33 Class B groups, the 42 Class C groups, and the 51 Class D groups. The entire number affected by organized baseball amount to only 3,653.

I support the Celler bill primarily because it will give a rule of reason to the reserve clause. Even as a State legislator I opposed the reserve clause. I tried to provide that service contracts which limited a man from negotiating for his own services after his contract was terminated would be unlawful.

When people like Radovich are kept down, a man who tried to go to another country and play ball and was restricted and limited from earning a living in the field of his particular skill, it is wrong. He should not be prohibited from going to another country to play.

Nevertheless, the reserve clause is one of the most important things in baseball. Under the Celler bill the reserve clause is maintained, but it has to be reasonable.

Bob Feller, one of the outstanding ballplayers of history, stated that we should have a limitation to the reserve clause, that a man should not be tied down for the remainder of his life. We seem to have the idea that if we eliminate the reserve clause the rich teams will win the pennants. We have the reserve clause in the New York Yankees. They won the pennant the last 9 out of 10 times and the only time they did not win the pennant was because of a regulation which said they could not trade that year. The Celler bill maintains the reserve clause but requires that the limitations and reservations be reasonable.

I urge the passage of the Celler bill.

Mr. KEATING. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Mr. Chairman, I am firmly convinced of the need for the amendment of the antitrust laws as provided for in the substitute to be offered to H. R. 10379.

Certain types of organized professional team sports are sorely in need of this legislation if they are going to be able to continue to provide the services that are such an integral part of the needs of our modern day recreation-minded America.

This substitute bill provides that the organized professional sports of football, basketball, and hockey, like professional baseball, shall be largely exempted from the Federal antitrust laws, in other words, that all professional team sports should be treated alike as to the application of such regulations, removing all such sports from such regulations as to the playing aspects, but not as to the business aspects of the sport.

The Supreme Court, in the famous Federal Baseball Club case in 1922, established the rule that professional baseball was not subject to the antitrust laws because of the nature of the activity. The Court reiterated this principle as to this sport in several following decisions. However, in 1955 the Supreme Court held that this exemption applied to baseball only, and not to other types of professional sports. The Court further said that to expand such ruling into other sports would take Congressional action.

Certainly there would seem to be no reason why professional baseball should be exempt, but that other professional team sports, such as football, basketball, and hockey, which are similar activities, are not exempt from regulation under the same laws.

If it takes an act of Congress to correct this inconsistency, then it is high time such an act was passed.

I certainly hope that this substitute bill is passed.

Mr. O'HARA of Illinois. Mr. Chairman, during the interesting debate today the Yankees have been mentioned frequently, sometimes in praise and sometimes in terms lesser than praise. I trust, however, that none of my colleagues has been led to believe by anything said in the debate that the Yankees are in for another American League championship this year. As a Representative from Chicago's great South Side, where everyone is a rabid White Sox fan, I think it is proper, and in the spirit of this day when we are playing baseball legislatively, I should assure the committee that, while this year the Sox started a bit bashfully, come September Chicago's prides will be so far in front the Yankees will feel like going the Giants and the Dodgers even farther West and throwing themselves in the Pacific.

I have known three generations of the Comiskeys, the "Old Roman," who was carrying the White Sox to the heights when years ago I was sports editing on the old Chicago American; Louis, his son; and Charles, his grandson and the present vice president of the White Sox. In a telegram I have just received from Charles A. Comiskey, representing the third generation of a great baseball family, he says:

> For the continuation of baseball particularly, and for its continuance as the national pastime, it is imperative that this substitute sports bill be adopted.

In view of the outstanding contribution of the Comiskey family to baseball, I am putting in the RECORD this message from the third-generation Comiskey.

Mr. KEATING. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. All time for general debate having expired, the Clerk will read.

The Clerk read as follows:

> *Be it enacted, etc.*, That the act of July 2, 1890, as amended (26 Stat. 209); the act of October 15, 1914, as amended (38 Stat. 730); and the Federal Trade Commission Act, as amended (38 Stat. 717) shall apply to the organized professional team sports of baseball, football, basketball, and hockey: *Provided, however,* That no contract, agreement, course of conduct, or other activity among teams or groups of teams engaged in these organized professional team sports which is reasonably necessary to—
>
> (1) the equalization of competitive playing strengths;
>
> (2) the right to operate within specified geographic areas; or
>
> (3) the preservation of public confidence in the honesty in sports contests;
>
> shall constitute a violation of the antitrust laws.
>
> Nothing contained herein shall be held to affect or impair any right heretofore legally acquired.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

> Committee amendment: Page 2, line 8, after the semicolon, insert: "or
>
> "(4) The regulation of telecasting and other broadcasting rights;".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Committee amendment: Page 2, line 13, add a new section, as follows:
>
> "SEC. 2. Nothing in this act shall be construed to deprive any players in any sport

subject to the act of any right to bargain collectively or to engage in other associated activities for their mutual aid or protection."

The committee amendment was agreed to.

Mr. WALTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: Strike out all after the enacting clause and insert the following:

"That the act of July 2, 1890, as amended (26 Stat. 209); the act of October 15, 1914, as amended (38 Stat. 730); and the Federal Trade Commission Act, as amended (38 Stat. 717), shall not apply to any contract, agreement, rule, course of conduct, or other activity by, between, or among persons conducting, engaging in, or participating in the organized professional team sports of baseball, football, basketball, and hockey which relates to—

"(1) the equalization of competitive playing strengths;

"(2) the employment, selection, or eligibility of players, or the reservation, selection, or assignment of player contracts;

"(3) the right to operate within specified geographic areas;

"(4) the regulation of rights to broadcast and telecast reports and pictures of sports contest; or

"(5) the preservation of public confidence in the honesty in sports contests.

"SEC. 2. As used in this act, 'persons' means any individual, partnership, corporation or unincorporated association, or any combination or association thereof.

"SEC. 3. Nothing in this act shall affect any cause of action existing on the effective date hereof in respect to the organized professional team sports of baseball, football, basketball, or hockey.

"SEC. 4. Nothing in this act shall be construed to deprive any players in the organized professional team sports of baseball, football, basketball, or hockey of any right to bargain collectively, or to engage in other associated activities for their mutual aid or protection.

"SEC. 5. Except as provided in section 1 of this act, nothing contained in this act shall affect the applicability of the antitrust laws to the organized professional team sports of baseball, football, basketball, or hockey."

Mr. WALTER. Mr. Chairman, I rise in support of the amendment.

The committee bill would make all the antitrust laws applicable to organized professional team sports. The only limitation would be that if the sports could show in court that a particular practice was "reasonably necessary," then that practice would not be held to be illegal. The committee bill would not provide any clear-cut exemption for the reserve clause or any other sports practice.

The substitute cuts out the "reasonably necessary" language and provides clear-cut exemptions from the antitrust laws for sports activities which are essential to the continuation of our national games.

Subjecting sports practices to a "reasonable restraint" test in the courts would place baseball, for antitrust purposes, in the same category as any other business. Most businesses are subject to the interdiction of the Sherman Act against contracts "in restraint of trade." But, since 1911, the courts have construed "restraint of trade" to mean "unreasonable restraint of trade"—*Standard Oil Co. of New Jersey* v. *United States* (221 U. S. 1 (1911)). Thus, with few exceptions, any business practice is subjected to a test of reasonableness—the "rule of reason"—before the courts condemn it as violating the antitrust laws. Baseball, however, has enjoyed an exemption from this test. Under the Supreme Court's 1951 Toolson decision, baseball is exempt from the prohibitions of the antitrust laws. The reasons for this, as given in the later Radovich decision, were as follows:

In Toolson we continued to hold the umbrella over baseball that was placed there some 31 years earlier by Federal baseball. The Court did this because it was concluded that more harm would be done in overruling Federal baseball than in upholding a ruling which at best was of dubious validity. Vast efforts had gone into the development and organization of baseball since that decision, and enormous capital had been invested in reliance on its permanence. Congress had chosen to make no change. All this, combined with the flood of litigation that would follow its repudiation, the harassment that would ensue, and the retroactive effect of such a decision, led the Court to the practical result that it should sustain the unequivocal line of authority reaching over many years.

In both the Radovich and Toolson cases, the Supreme Court said that it was for Congress to determine whether particular activities of organized sports should be exempt from the antitrust laws. The committee bill, however, would pass the buck back to the courts. Under its terms, a trial would have to be held to determine whether each practice was reasonably necessary to the sport. If this language is enacted, each sport would be harassed by a flood of litigation—litigation over reserve clauses, drafting of players, assignment of player contracts, territorial rights, expansion of leagues, moves of teams to new territories, and so forth.

The committee's report indicates that the committee believed it was providing protections from the antitrust laws which organized sports do not now have. The report says that if restraints employed by the various sports were utilized by any other business, the restraints would be held unreasonable per se and, therefore, beyond justification for antitrust purposes. The purpose of the "reasonably necessary" language, according to the report, is to give each sport the opportunity to justify its practices in court—the assumption being that such an opportunity is not provided under present law.

This assumption is wholly erroneous. The committee bill would not give any sport any opportunity it does not now have, and it would deprive baseball of the valuable exemption the Supreme Court gave it in the Federal Baseball Club and Toolson cases.

The fact of the matter is that any ordinary business engaging in practices similar to those engaged in by the various sports is given ample opportunity to justify them under the rule of reason. Only a few practices—such as price fixing and patent tying—are unreasonable per se and therefore beyond the protection of the rule of reason announced by the Supreme Court in 1911. No professional sport engages in price-fixing or patent-tying arrangements.

The only business practices which have sometimes been condemned by antitrust cases and which also have sports counterparts are the boycott and the division of markets by agreement among competitors. While courts have indicated by way of dicta that boycotts may be beyond the protection of the rule of reason, that is that they may be unreasonable per se, recent cases in which the point was specifically raised have permitted justification for boycotts to be stated, although the courts were not always satisfied that the stated justification was sufficient. For example, *Interborough News Co.* v. *Curtis Pub. Co.* (1927 F. Supp. 286, 300–301 (S. D. N. Y. 1954), aff'd, 225 F. 2d 289 (2d Cir. 1955)); *United States* v. *Insurance Board of Cleveland* (144 F. Supp. 684, 696–698 (N. D. Ohio, 1956)). Market division agreements can also be justified under the rule of reason—for example, *United States* v. *National Football League* (116 F. Supp. 319 (E. D. Pa. 1953)); *Timken Roller Bearing Co.* v. *United States* (341 U. S. 593, 598–599 (1951)) although, as with the case of boycotts, the defendant's justification is sometimes held to be insufficient. The point is that courts will listen to attempts to justify either boycotts or market division agreements—no special statutory language is needed to accomplish that.

To subject sports activities, as the bill would do, to the same judicial scrutiny as the business practices of any ordinary commercial enterprise would be to do the games great injury without any consequent gain to the public. Unlike other enterprises which are required by the antitrust laws to compete, even to the point of eliminating each other from competition, each sport requires that the teams collaborate to the end that competitive equality be preserved between the leagues and among teams of competing leagues. Any resort to untrammeled, cutthroat competition among the teams could only result in stronger teams becoming so powerful that spectator interest in sports contests would be lost and the entire industry placed in jeojardy.

While recognizing sports' unique character and the necessity of practices which would be entirely inappropriate in an ordinary industry, the committee now proposes to make those practices subject to the antitrust laws just as if each sport were an ordinary industry. An intelligent businessman in an ordinary commercial enterprise knows that unreasonable restraints of trade offend the antitrust laws but he does not usually know just what activities will be held unreasonable when challenged in court. Faced with the prospect of an indictment or a treble damage suit if he guesses wrong, most executives fall back on unrestrained competition as the only safe course.

Professional sports cannot do this. Without some restraints on competition, the entire industry accordingly is placed in jeopardy.

Each sport must thus be in a position to limit competition off the playing field in order that competition on the field may be more vigorous. If, for example,

unrestrained competition for players existed, the richer clubs would buy up all the good players and the inequality among teams would become even more pronounced than it may sometimes appear to be now. Imagine how far behind the Phillies would be without Roberts, Ashburn, Lopata, and Jones for example.

The unique position of organized sports has been recognized repeatedly. In its 1952 report on baseball, the Antitrust Subcommittee of the Judiciary Committee said:

> The subcommittee recognizes * * * that baseball is a unique industry. Of necessity, the several clubs in each league must act as partners as well as competitors. The history of baseball has demonstrated that cooperation in many of the details of the operation of the baseball business is essential to the maintenance of honest and vigorous competition on the playing field. For this reason organized baseball has adopted a system of rules and regulation that would be entirely inappropriate in an ordinary industry.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WALTER] may proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WALTER. In its 1958 report on all four professional team sports, the Antitrust Subcommittee said:

> It is clear that the degree of industry self-regulation undertaken jointly in each of these four professional team sports could not be tolerated in any other type of competitive business activity. It can only be justified for these team sports in the light of the necessity to preserve public confidence in the integrity of the particular sport and the necessity for cooperative action to equalize team strengths in order that the business as a whole may survive.

In his 1953 National Football League decision, Judge Grim, one of our most respected jurists, stated:

> Such a sport is a unique type of business. Like other professional sports which are organized on a league basis it has problems which no other business has. The ordinary business makes every effort to sell as much of its product or services as it can. In the course of doing this it may and often does put many of its competitors out of business. The ordinary businessman is not troubled by the knowledge that he is doing so well that his competitors are being driven out of business.
>
> Professional teams in a league, however, must not compete too well with each other in a business way. On the playing field, of course, they must compete as hard as they can all the time. But it is not necessary and indeed it is unwise for all the teams to compete as hard as they can against each other in a business way; the stronger teams would be likely to drive the weaker ones into financial failure. If this should happen not only would the weaker teams fail, but eventually the whole league, both the weaker and the stronger teams, would fail, because without a league no team can operate profitably.

Repeated findings that professional team sports are unique among businesses should certainly justify treating them differently than other businesses. Under the committee's reasonably necessary language, however, their treatment would be just the same. Like any other commercial enterprise, they would be subjected to the antitrust laws' rule of reason. Every practice which limited competition for players, to continue my earlier example, would be subjected to a lengthy court trial.

Charges have been made that two of baseball's major league clubs are owned by the same person and that enactment of the committee bill is necessary to eliminate such common ownership of clubs. This argument is without a shred of foundation.

In the first place, the committee bill says nothing about common ownership. Nowhere in the committee bill is this practice prohibited.

In the second place, no common ownership of competing teams exists in organized baseball. Rule 20 of the major league rules specifically bars conflicting interests of any kind. It states in part:

> (a) No club, or owner, stockholder, officer, director or employee (including manager or player) of a club, shall, directly or indirectly, own stock or any other proprietary interest or have any financial interest in any other club in its league.

This rule has been rigidly enforced by the Commissioner. For example, Bing Crosby was required to divest himself of a few nominal shares he held in one major league club because he owned stock in another club. Major league clubs must report even small changes in ownership to the Commissioner on a regular basis. The result is to eliminate all conflicting interests of any kind.

This is just another example of the misinformation on which the committee bill is based. While the committee wanted to provide a measure of protection from the antitrust laws for the four named sports, the committee bill failed in this purpose because the assumptions on which it was based were erroneous. As six of my colleagues on the committee and mystelf stated when the bill was reported, we "are of the opinion organized sports are entitled to and should receive the relief this bill is claimed to confer, but we feel it does not accomplish the intended purpose. We believe the words 'reasonably necessary' invite endless litigation, and should be stricken. The purpose of organized sports is entertainment; the contests are not trade or business; they can in nowise be considered a necessity of life, or even an approximation thereof, and should not be subjected to the penalties of the antitrust laws."

In conclusion, I submit that there is no public need or demand for subjecting the sports aspects of baseball, football, basketball, or hockey to the antitrust laws. The committee bill would impose a burden of litigation on these sports which would jeopardize their continued operation. The substitute would leave regulation of each sport to the sport itself, guided by its enlightened self-interest in promoting public confidence in the integrity of its game.

Mr. Chairman, I ask that the amendment which will guarantee equal treatment for all sports be adopted.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SIEMINSKI. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. SIEMINSKI moves that the Committee rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. SIEMINSKI. Mr. Chairman, it has been said that the deficits of the Celler bill are that it encourages harassing litigation, it is costly, complicated, and burdensome to players, teams, possibly fans, contenders, and promoters. The question I would ask is, including the Walter amendment, Is the bill as inclusive as it should be? What justification is there for the elimination of P. G. A. golf, tennis, horse racing, be it jockey or harness?

I urge the House to send this bill back so that representatives of all various sports may come before the committee to explain their unusual problems. They, too, may need relief from the Sherman antitrust law. In this way, by sending the bill back, the committee can write a bill that would cover all professional sports in the United States.

While the Walter bill has merit, I feel that the committee in its wisdom could write a more inclusive bill after hearing from all sports where money is paid to participate, or participants, be they players, teams, contenders, fans, or promoters in organized sports.

Mr. MILLER of New York. Mr. Chairman, will the gentleman yield?

Mr. SIEMINSKI. I yield to the gentleman.

Mr. MILLER of New York. The gentleman, perhaps, is not aware of the fact that this legislation is designed to cover, and our hearings covered, only team sports. That was so because it was felt that the situation with respect to team sports was indeed precarious because of recent Supreme Court decisions and the inconsistencies under which these team sports were presently operated and the uncertainties with which they were faced.

We realize that there is a necessity perhaps for a hearing into and an investigation of these other sports to which the gentleman refers, such as boxing, professional golf, and other individual sports. As a matter of fact, our subcommittee does intend to go into those things in the very near future. But we felt that they are not related to team sports, they have not been affected by Supreme Court decisions, nor, probably, could they properly be placed under one bill or covered under one piece of legislation.

Mr. SIEMINSKI. May I ask the gentleman if by "team" he means organized sports?

Mr. MILLER of New York. Organized team sports; yes, professional team sports.

Mr. SIEMINSKI. I think the whole bill is shooting at a corrective condition. I hope and I know that the House will move in its wisdom to correct what is wrong in the sports arena of America.

Mr. Chairman, the definition of "team sports" in this bill discriminates against other sports. Are 2 professional golfers, playing in a foursome, a team, and the same of 2 professional tennis players playing in a doubles match? And what of racing? Is the owner of a horse, and the contracted professional jockey or sulky driver and trainer a team? Or any part of a team?

What determines the definition of team? Is it the Congress or is it the contestants, the promoters, or the fans and sports writers?

What of the associations who supervise, control, and set standards to keep the sport clean and free of rackets domination?

I still insist on my motion, Mr. Chairman, and urge a vote.

Mr. CELLER. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, the news release offered by the proponents of the amendment in the form of a substitute set forth the following:

Commercial practices of all these sports, such as the rental or operation of concessions and the sale and purchase of stadiums, would be subject——

Mr. MASON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MASON. Mr. Chairman, I wonder if the gentleman is speaking to this motion to strike out the enacting clause, or to the substitute amendment.

Mr. CELLER. I think the gentleman is right. I am offering my remarks to the substitute amendment.

Mr. MASON. We had better first dispose of this motion to strike out the enacting clause.

The CHAIRMAN. The Chair understood that the gentleman rose to oppose the motion to strike out the enacting clause.

The question is on the motion offered by the gentleman from New Jersey [Mr. SIEMINSKI] to strike out the enacting clause.

The motion was rejected.

Mr. CELLER. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, the handout or news release made by the proponent of the amendment in the form of a substitute and his colleagues had the following to say:

Commercial practices of all these sports, such as the rental or operation of concessions and the sale and purchase of stadiums, would be subject to the antitrust laws.

That is all the substitute offers as far as restrictions on the antitrust laws are concerned. The antitrust laws with reference to all other business operations of the sport are not applicable.

What would be the effect of such an amendment? It must be remembered also that in my bill I provide that all business operations if reasonably necessary would be legal. The substitute bill has no such words, "reasonably necessary."

The effect of the substitute therefore would be the following:

There would be complete exemption from the antitrust laws for all essential parts of organized sports business. It would be a repudiation of the antitrust laws and the policies they represent.

Second. Only sale or lease of ball parks and peanut concessions would be subject to the antitrust laws, plus relatively minor operations in the sports business.

Third. Owners could arbitrarily and unfairly restrain trade for purposes totally unrelated to the continued presentation of sports contests. The owners, for example, could agree:

(a) Not to recognize any players' association.

(b) That no more than one team could be located in any metropolitan area, regardless of size.

(c) That the same owner could control two or more teams.

Fourth. Although restraints on the right to pursue their trade or profession historically have been prohibited, players would be deprived of any disinterested forum and opportunity in which they could secure redress for grievances.

Courts are ousted entirely and no objective arbiter is substituted. Players' bargaining position would be destroyed.

Fifth. Clubowners would be absolutely free to do what they please; therefore, the public interest in the continued availability to the public of sports contests would not be protected. There is no reason for antitrust exemption other than to protect the public interest in continuation of the sport.

Sixth. Owners would be free to boycott and take other reprisals against former players no longer in the organized sport. Witness the Mickey Owens case, where there was a refusal of entrance to the stadium of this gentleman, this former baseball player, even for exhibition games.

Seventh. Commissioners could blacklist, boycott, and censor sports announcers and commentators on TV and radio broadcasts. They could oust critical reporters from the stadium.

Let me read to you from the constitution and bylaws of the National Football League:

Article X, section 1: Any contract entered into by any club for telecasting or broadcasting its games shall be subject to the conditions that—

(a) The sponsor, the contract itself, the broadcasters who telecast or broadcast such games, and the men who do the color; also any person or persons who do a pregame and/or postgame show from inside the park, must have the written approval of the Commissioner of the National Football League.

(b) Any broadcaster may be removed by the Commissioner for conduct considered by the Commissioner as detrimental to the National Football League or professional football.

Eighth. Virtually the entire United States can be blacked out from telecasts of major league baseball games, whether or not the blackout is needed to protect minor league territories.

Major leagues can black out all of the United States free television so they can charge for your viewing the game on pay television, or by way of closed circuit.

As recently as March 3, 1958, the Department of Justice refused to permit baseball to put into effect an agreement which would "preclude the American public from all chance to view on television the bulk of professional baseball games."

The following is a letter sent by the head of the Antitrust Division, dated March 3, 1958, to Mr. Paul A. Porter, attorney for the Baseball Commission:

UNITED STATES DEPARTMENT OF JUSTICE,
*Washington, D. C., March 5, 1958.*

PAUL A. PORTER, Esq.,
*Arnold, Fortas & Porter,*
*Washington, D. C.*

DEAR MR. PORTER: By your letter, dated February 12, 1958, you submitted, on behalf of the Commissioner of Baseball and the National Association of Professional Baseball Leagues, a rule to be adopted by the major league and minor-league baseball clubs. According to the proposed rule each and every baseball club in the major and minor leagues would agree not to telecast any of its games from a station located outside of its home territory and in the home territory of any other league club on the day that such other club is scheduled to play a home game. The home territory of a club would be defined to include an area within a radius of 75 miles from its ball park.

A similar rule (major league rule 1 (d)), was adopted by the major league clubs in 1946. The rule was repealed by the clubs in October 1951, following an investigation by this Department of alleged restraints upon competition in the broadcasting and telecasting fields and after our expression of belief that the rule transgressed the Sherman Act.

To that position we must still adhere. First, *United States* v. *National Football League* (116 F. Supp. 319, D. C. E. D. Pa. 1953) upheld certain restrictions agreed to by members of only one league as necessary to keep the league in fairly even balance. Your proposed rule, in sharp contrast, aims primarily, not to preserve operations of any one league, but instead to protect other leagues from competition. Second, again going beyond football, your proposed rule would bar telecasts into the home territory of any team in any major or minor league whether or not it might desire to consent to a particular telecast. Third, it would bar, for example, a night telecast into a territory where the home team had already played that afternoon.

Finally, the 75-mile protected area, taken together with the number and geographical location of the teams to be involved in the agreement, might well preclude the American public from all chance to view on television the bulk of professional baseball games. In light of the drastic effects on the viewing public your proposed rule envisions, since it enables restraints beyond those sanctioned by existing case law, this Department can give no assurance that its adoption would not subject the parties involved to suit under the antitrust laws.

Sincerely yours,
VICTOR R. HANSEN,
*Assistant Attorney General,*
*Antitrust Division.*

In other words, they have already tried to black out most of the Nation. The baseball owners have tried that already and the Department of Justice has ruled, "No; you cannot do that, you would be violating the antitrust laws." Pass this substitute bill and you would have the baseball magnates given the freest authority to do exactly what the Department of Justice now frowns upon.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CRETELLA. Mr. Chairman, I offer a substitute amendment to the pending amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. CRETELLA to the substitute amendment offered by Mr. WALTER: Strike out all after the enacting clause, and insert:

"That the act of July 2, 1890, as amended (26 Stat. 209); the act of October 15, 1914, as amended (38 Stat. 730); and the Federal Trade Commission Act, as amended (38 Stat. 717) shall apply to the organized professional team sports of baseball, football, basketball, and hockey: *Provided, however,* That the sports practices, such as the reserve clause, player contracts, territorial rights, expansion of leagues, formation of leagues, advancement of players through draft and waiver rules and assignment of player contracts, are exempted therefrom, with the following limitations:

"(1) A person who signs a contract when he is a minor shall be entitled to the protection granted him by the laws applicable to infants;

"(2) A person who has served in the major leagues for a period of 3 years cannot be transferred to the minor leagues without his consent after he is once placed on the waiver list and is claimed by a major-league club;

"(3) A person who has served 5 years in the minor leagues cannot be transferred without his consent to another team in the same or lesser classification;

"(4) No major-league game will be broadcast or telecast into a minor-league town or city when a minor-league team is playing in that town or city;

"(5) No major-league team may own directly or indirectly a team in the minor league after January 1, 1960.

"Nothing contained herein shall be held to affect or impair any right heretofore legally acquired."

Mr. KEATING. Mr. Chairman, I make the point of order that there can only be one substitute pending at a time and that this substitute amendment is not in order.

The CHAIRMAN. The point of order is overruled. This is a substitute for the pending amendment. The gentleman is in order and is recognized for 5 minutes.

Mr. CRETELLA. Mr. Chairman, my substitute may appear to go further than the Keating bill. By my substitute those sport practices, as well as the reserve clause, player contract, territorial rights, expansion of leagues, formation of leagues, advancement of players through draft, are exempted from the antitrust laws, with the following limitations:

1. That a person who signs a contract when he is a minor shall be entitled to the protection granted him by the laws applicable to infants.

In that regard there has been testimony before the committee on this subject, and in order to get the views and sentiments of Mr. Frick, I wrote him a letter on the subject on May 27, 1958. He said:

In answer to your question, I would not object to the specification that the infant laws apply as you outline in your letter.

So that meets with his approval.

A youngster is signed up for a certain stipulated amount. He is paid not that amount at 1 time but over a period of 3 or 4 or 5 years. He has earned what is given to him at the end of the first year and the second year. He should have a right to renounce the contract just like any other minor when he reaches maturity. That I think is in the interest of baseball and I think would go a long way toward rectifying some of the glaring errors that have been found in baseball.

As to No. 2, a person who has served in the major leagues for a period of 3 years cannot be transferred to minor leagues without his consent after once being placed on the waiver list.

That is essential, and I will tell you why. A big league team brings up a man and puts him on the waiver list, and when some other team negotiates for him, by some manipulation he is immediately withdrawn from the waiver list. The purpose of that is to find out what the market value of that man might be. He is then put on the waiver list again, and I am told that this is done many times. It could well be that they have a separate agreement themselves that if someone should want to pick up this waiver and decide to take this man, it can be arranged to refrain from so doing in return for some similar reciprocity. That is some of the chicanery that goes on in organized baseball which does not appear on the surface but which obviously does exist, as was indicated in the testimony before the committee.

Paragraph 3:

A person who has served 5 years in the minor leagues cannot be transferred without his consent to another team in the same or lesser classification.

I also took that subject up with the High Commissioner of Baseball, and I do not suppose he agrees with it. But the purpose of that language is to prevent a ballplayer from being shunted around from one place to another like a pawn in the hands of these teams, not being used to the best of his capabilities. That should be prevented. If we are going to make baseball a clean pastime then let us make it as clean as we possibly can and give these men some rights.

Considerable has been said during the course of the discussion today of telecasting, and it has been agreed by the gentleman from New York [Mr. CELLER], sponsor of the bill before us, that minor league baseball does need the help of major baseball in restricting broadcasts. And the minors through their president pleaded for this help, before the committee.

My bill merely restricts such broadcasts in the city where minor leagues are in fact playing. There are some 13 teams of the 16 in the league that do that now.

Yesterday I received a call from one of the baseball counsel telling me that they would agree among themselves or they would pledge to stop this broadcasting. But if we were to pass this legislation we would not have to take pledges and promises.

This substitute bill I believe is a worthy one and I think should meet with the approval of the House.

Mr. MILLER of New York. Mr. Chairmna, I rise in opposition to the amendment.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on these amendments and all amendments thereto close at 5:20.

Mr. KEATING. Mr. Chairman, reserving the right to object, I would like to take at least 5 minutes.

Mr. CELLER. Mr. Chairman, I move that all debate on the bill and all amendments thereto close at 5:30.

The CHAIRMAN. The question is on the motion.

The motion was agreed to.

The CHAIRMAN. The gentleman from New York [Mr. MILLER] is recognized.

Mr. MILLER of New York. Mr. Chairman, at this late hour it would in my judgment be a serious mistake for this Committee to adopt this substitute offered by the distinguished gentleman from Connecticut.

In the first clause of the bill the gentleman exempts from elimination, or has covered by the antitrust laws the following:

(1) A person who signs a contract when he is a minor shall be entitled to the protection granted him by the laws applicable to infants;

Of course, that is the law today. These contracts signed by these bonus players who are infants are governed by the laws of the State in which the infant resides at the time the contract is signed.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. No. I must finish this statement; then I will yield.

Nothing that baseball could do by agreement or by rule could eliminate the necessity of compliance of contracts with State law. All this apparently purports to do is to have by Federal statute a preemption by Federal law of all the State laws which now govern adequately and properly contracts entered into with infants.

His second section says a person who has served in the major leagues for a period of 3 years cannot be transferred to the minor leagues without his consent after he is once placed on the waiver list and is claimed by a major-league club.

That is the rule now, that is the regulation now in full force and effect in the major leagues. But if you make it by statute, you make it inflexible. If in future years it should be determined by those who know baseball best and who have provided good and clean baseball for the people of this country for 50 years that a period of 2 years might be better or 4 years, you are foreclosing them by statute and freezing them into a 3-year exemption which, of course, would be an utterly impossible situation for baseball to deal with.

His third section says a person who has served 5 years in the minor leagues

cannot be transferred without his consent to another team in the same or lesser classification.

In my district is Buffalo of the International League. In the district represented by my distinguished colleague, the gentleman from New York [Mr. KEATING], is Rochester, also in the International League. If we in Buffalo had 2 shortstops, both of whom had been in the minor leagues for 5 years, and we had no left fielders, and Rochester had 2 left fielders but no shortstops, because these players wished to remain in Buffalo or Rochester, respectively, and did not wish to be transferred, there could be no equalization of player strength, there could not be a buildup of competitive teams in the International League. These teams would be bound by rules in a statute with which they could not live.

His fourth proviso is that no major-league game will be broadcast or telecast into a minor-league town or city when a minor-league team is playing in that town or city.

You may have a case where a Class E club represents a small suburb of a larger city. As a result of this the whole area served by one television station would be blacked out from major league baseball.

This goes farther than the minor leagues wish it to go. They have not indicated they want a complete blackout of major league games all the time they play their minor games. They might get some benefits from a sponsor or a concession in television rights or broadcast rights.

They claim they can get together under rule 1 (d), which they used to have. That worked perfectly to the satisfaction of the major and minor league baseball teams but had to be eliminated because the Justice Department objected to this agreement among the major league teams in connection with this matter. That is why our substitute bill leaves that out, so that they may proceed to work out their own agreements in this particular respect.

The substitute offered by the gentleman from Connecticut [Mr. CRETELLA] should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I have an amendment to the Walter bill. I think the vote should be taken first on the Cretella substitute, then I will offer my amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Chairman, I would like to say that I am a member of the Committee on the Judiciary; I have diligently tried to obtain some time to participate a little in this debate. That I was unable to do on account of the lateness of the hour and on account of the fact I think this legislation has been thoroughly debated, I yield back my time.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Connecticut.

Mr. CRETELLA. I want to answer the first question that the gentleman from New York [Mr. MILLER] raised, dealing with the law of infancy. He did not add anything to the prevailing law which permits a minor who has signed a contract to renounce it, now. The fact is that if a minor in a baseball league does renounce, he is then put on a restricted list—and Mr. Frick admits it—he can no longer enjoy the pastime of playing baseball, while so restricted. As far as the rule is concerned, to which he referred my second provision, if the rule exists, that it has only been enforced because these hearings have been held, and therefore, there is no harm in writing it into law.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, I trust that the House will approve the substitute amendment offered by the gentleman from Pennsylvania. It seems to me that the bill as reported by the committee, although it would clear up some of the present confusion in the law, would, however, continue certain confusions in this field. It would certainly lead to litigation; it would certainly put all clubs in the position of being subject to litigation, whether reasonable or unreasonable, and it would seem to me that while we have this matter before us, we should resolve the question as firmly and straightforwardly as is possible. We should say that certain aspects of these team sport activities shall not be subject to the antitrust laws. The substitute as offered does this and it also recognizes that there are other aspects, business aspects, that are subject to the antitrust laws. But, let us legislate to the extent that we can so as to make the situation firm and clear. The way to do it is by adopting the substitute amendment offered by the gentleman from Pennsylvania [Mr. WALTER].

The CHAIRMAN. Are there any other Members desiring to speak on the Cretella amendment?

Mr. KEATING. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. I assume under this arrangement I have 5 minutes in all.

The CHAIRMAN. The gentleman from New York has 4 minutes.

Mr. KEATING. I will reserve it on the other amendment.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Connecticut [Mr. CRETELLA].

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I rise in support of the Walter amendment, which is an embodiment of the bill introduced by the gentleman from Pennsylvania [Mr. WALTER], the gentleman from Arkansas [Mr. HARRIS], the gentleman from New York [Mr. MILLER], and myself, some time ago.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Arkansas.

Mr. HARRIS. I would just like to say, Mr. Chairman, that I am wholeheartedly and enthusiastically in support of the substitute. It does not go as far as I told the committee that I would like to go during the course of the hearings in exempting professional sports from the application of the antitrust laws. I think this great American sport ought not to be interrupted by Supreme Court decisions.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Michigan.

Mr. FORD. I would like to commend the gentleman from New York for his sponsorship of this legislation and indicate my wholehearted concurrence in his objectives.

Mr. KEATING. I thank the gentleman.

There has been a good deal said about the New York Yankees, and the greatest objection which has been voiced by the chairman of our committee has been that the substitute bill offered by the gentleman from Pennsylvania [Mr. WALTER] and others might permit the Yankees to keep all teams out of New York City.

I have a letter here from Mr. Daniel R. Topping, dated June 11. He is president of the New York Yankees, and I think his letter should be read.

After we go back in the House I will ask leave to place this letter in the RECORD.

It follows:

NEW YORK YANKEES,
*New York, N. Y., June 11, 1958.*

Hon. KENNETH B. KEATING,
*House of Representatives,*
*Washington, D. C.*

DEAR MR. KEATING: We have been informed that the House Judiciary Committee, by a divided vote, has reported the Celler bill (H. R. 10378) which would place baseball under the antitrust laws.

In the report submitting the Celler bill, one of the reasons urged for the enactment of that bill is the necessity to eliminate restrictive agreements "that prevent a National League replacement for the New York Giants or the Brooklyn Dodgers from coming into New York City unless the American League Yankees in New York City first gives its consent."

We have also been informed that Mr. CELLER is urging support of his bill because it would "outlaw a situation in which the New York Yankees, for instance, could veto the entry of a National League team into New York."

Please be advised that there is not now, nor has there ever been, any desire on the part of the Yankees to have the sole veto right in keeping either a National League or an American League club out of New York City. We are not against another club coming into New York and we might welcome a National League team under proper circumstances. However, we do not feel that any one club should be singled out and be discriminated against.

You are authorized to make such use of this communication as you may deem appropriate.

Yours very truly,

DANIEL R. TOPPING.

Mr. Chairman, the substitute bill offered by the gentleman from Pennsylvania [Mr. WALTER] plainly demarks the area of antitrust exemption for the activities of our professional team sports. It gives more than lip service to the fact that these sports are unique. It fully reflects the view that the policy decisions of baseball, football, hockey, and basketball should be made by the people who know and understand these sports—the owners, the players and the fans. And it unequivocally rejects the view inherent in H. R. 10378 that such decisions should be arbitrated by Federal judges and juries who may have no special knowledge of or interest in the problems of the game.

The substitute bill expressly exempts from the antitrust laws sports practices, which relate to, first, the equalization of competitive playing strengths; second, the employment, selection or eligibility of players, or the reservation, selection or assignment of player contracts; third, the right to operate within specified geographic areas; fourth, the regulation of rights to broadcast and telecast reports and pictures of sports contests, and fifth, the preservation of public confidence in the honesty in sports contests.

On the other hand, commercial practices of all these sports, such as the rental or operation of concessions and the sale and purchase of stadiums will be subject to the antitrust laws. In addition, the important right of the players to join together to protect their mutual interests through players' associations is fully protected.

The most substantial difference between the substitute and the pending bill is the elimination of the "reasonably necessary" phrase as a qualification upon the listed exemptions. It is this phrase which has evoked the very real fear that under H. R. 10378 all team sports would have to operate under constant threat of harassing antitrust litigation.

The reasonably necessary phrase did not appear in any of the many bills originally introduced on this subject. There was no opportunity, therefore, for any informed comment on its meaning or effect during the hearings of the Antitrust Subcommittee. However, after the Antitrust Subcommittee concluded its hearings, the staff requested a statement of views by organized baseball on the chairman's bill. Such a statement was thereafter filed with the subcommittee on behalf of the Commissioner of Baseball, the American League, the National League, and the National Association of Professional Leagues.

This statement by organized baseball was the first comprehensive analysis of the proposed bill by any affected party. It made it clear beyond any doubt that organized baseball was strongly opposed to the reasonably necessary phrase and for good reason. Since then all of the other sports have joined in this opposition. Our distinguished chairman persisted in adhering to this doctrine, however, even after the grave threat it posed to the very survival of all these sports became more and more apparent. This refusal to consider the position of those who understand these sports best, made a complete compromise within the committee impossible. However, it did not prevent 15 members of the committee from both sides of the aisle from expressing their disapproval of the reasonably necessary test.

The assertion that professional team sports will be accorded some kind of unprecedented and extraordinary privilege if their playing and similar practices are exempted from the antitrust laws is the sheerest myth. The number of businesses and practices exempted from the antitrust laws by act of Congress is legion, as the most cursory examination of any compilation of antitrust laws will show. It is true that some of these involve the intervention of a Government agency but others involve no such substitute regulation.

Let me give just a few illustrations to remove any further misconceptions on the point. The Sherman Act itself exempts minimum resale price maintenance agreements. The Clayton Act exempts such things as rebates by cooperatives to their members, purchases of supplies by educational, religious, and charitable institutions, and the activities of labor organizations. The Capper-Volstead Act exempts agricultural and horticultural cooperatives. The State Tobacco Compacts Act grants Congressional consent to compacts between States regulating the control of production and marketing of tobacco. The Webb-Pomerene Act exempts qualifying export associations from the Sherman Act. The McCarran-Walter Insurance Moratorium Act exempts insurance from the Federal antitrust laws where it is regulated by State laws. And there are many, many other exemptions under the Interstate Commerce Act, the Federal Communications Act, the Shipping Act, and similar laws.

What these examples prove is that the antitrust laws have not been found appropriate to every industry problem and practice. We may disagree with some of the specific exemptions now on the statute books, but there is no point in denying their existence. The plain truth is that Congress has repeatedly recognized the necessity of exemptions from the antitrust laws almost from the very time of the adoption of the Sherman Act. There may be some antitrust purists at large who would repeal these exemptions for labor, for cooperatives, for churches and schools, and for regulated industries, but until this day I did not so classify the distinguished gentleman from New York.

What makes sports unique is the fact that their business is competition. Competition, not monopoly, is their best assurance of high profits for owners and players alike. In fact close competition on the playing field or in the arena is essential for the preservation of all these games. If one team cornered all the available talent, the contests would lose their major appeal, fans would give up the sport, and the leagues would eventually collapse. In other words, a baseball or football or hockey or basketball monopolist, would hurt not only the public, but himself as well.

It is this unique fact about the operation of team sports which makes control through the antitrust laws entirely unnecessary. We do not need Federal laws and bureaus and courts to compel these sports to preserve competition on the playing field. We need only let them alone and rely upon their own natural interests to lead them to the same objective.

Indeed, any attempt to judge the practices of team sports by antitrust standards actually may defeat their own efforts to preserve close competition on the playing field. This is because to achieve such competition, all these sports have found it necessary to engage in some practices with regard to the selection of players, the assignment of territories, and limitations on the size of teams which are admittedly restrictive in nature. These sports know from experience, as is clear from the hearings of the Antitrust Subcommittee, that such practices are necessary to promote rather than destroy playing competition. This was demonstrated to the satisfaction of almost every member of the Judiciary Committee. In view of this, why leave to the jeopardy of litigation their future fate?

These considerations make it evident that the playing practices of organized professional team sports can be safely accorded the same exemption from the antitrust laws which has been extended to many other groups and practices. This does not mean that I believe that the present method of operation of any of these sports is perfect. What it does mean, however, is that I have confidence in the ability of these sports to devise solutions to their problems out of their own broad experience. These solutions must be sound if sports are to maintain the loyalty and support of their millions of fans. I feel no such assurance, however, in solutions which would be dictated by judges and juries necessarily concerned only with the doctrines and technicalities of the antitrust laws.

Ford Frick, the conscientious Commissioner of Baseball, put it well when he said in comment upon the original Celler bill:

> I see * * * burdensome and protracted litigation—litigation as to the reserve clause, litigation as to the assignment of player contracts, litigation as to territorial rights, litigation as to formation of leagues. I see uncertainty and chaos for players and clubs. * * * I see public suspicion of the integrity and honesty of a game no longer allowed to regulate itself effectively. I do not see better baseball, or lower admission prices, or better ball parks, or anything better for the fan. In short, I see baseball set back 50 years.

The same may be said about the new Celler bill, H. R. 10378, and its effect on all of these sports.

The uncertain and indefinite language of H. R. 10378 means that it would be up to the courts to determine its ultimate significance. This is no recommendation for any sound legislation. It takes no courage to engage in this kind of buckpassing. The full and complete record on the subject developed by the Antitrust Subcommittee will be completely wasted if all we do now is ask

the courts to make the policies in this area. Our time would have been better spent subsidizing test cases than hearing the facts firsthand, if a flood of litigation is to be the only sure result of our action.

Legislation should be clear and definite if it is to be effective. Uncertainty is undesirable in any legislation and in this case the litigation spectacle which would result from H. R. 10378 could have disastrous consequences for our national team sports. The Supreme Court itself clearly indicated that the problems in this area should be solved by legislation rather than court decision. H. R. 10378 ignores this advice.

The substitute now before the House expresses without any doubt the areas of antitrust exemption for these sports. It will reflect a positive legislative policy in favor of allowing team sports to manage their own affairs. Its provisions are based on a record already made, not on court proceedings to be had in the future. This will be an example of the kind of exercise of the lawmaking power which leaves no room for judicial misconstructions of Congressional intention.

There will be no partisan dispute in this Congress over the welfare of professional baseball and football and similar sports. This substitute is a measure which is designed to help not harass these great national pastimes. Let the friends of all these sports on both sides of the aisle stand up and be counted. Let us act decisively here and now to put an end to any misconceived antitrust assault upon these sports. If we do so, we will be acting with the approval of the millions of Americans who know and love these sports. And we will be sending to the other body a bill which will deserve quick and wide support.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, the letter that was just read by the gentleman from New York [Mr. KEATING] bears out exactly what I have indicated. That letter clearly tells us that the New York Yankees have the power to veto and to keep any other team out of the city of New York. The author of the letter has the temerity to say that, "We may consider some other team coming into New York."

That is exactly what I am inveighing against. I oppose that kind of an arrangement which would be continued if we pass this substitute. The substitute bill would continue one team with the power of monopoly in a great city like New York.

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES, of Illinois to the amendment offered by Mr. WALTER of Pennsylvania: On page 2, strike out lines 8 and 9 and in line 10 change "(5)" to "(4)."

Mr. YATES. Mr. Chairman the bill before us raises the question as to whether inclusion of organized professional teams under the coverage of our antitrust laws will help or hinder professional athletes. Giving due regard not only to the interest of the owners, but to the players, the spectators or sports fans, and the public at large as well, I believe it will help. When the interest of all these groups is considered together, I think we must select and support the Celler bill, rather than the Walter substitute. The Celler bill will better serve the cause of those interested in organized professional sports. The testimony given by one of baseball's greatest players, Bob Feller, before the Committee on the Judiciary was most persuasive. Bob Feller enjoyed a long and distinguished career in organized baseball. He has a fine record as a good citizens and this must be considered too, he cannot be said to have been biased in any way as a result of being connected with a club at this time. The Association of Professional Football Players agree with Feller in opposition to the Walter bill.

The gentleman from Pennsylvania and those of the committee associated with his views said in the report on the Celler bill:

The purpose of organized sports is entertainment; the contests are not trade or business; they can in nowise be considered a necessity of life, or even an approximation thereof, and should not be subjected to the penalties of the antitrust laws.

Perhaps in designating baseball as entertainment and not a business the gentlemen were thinking of the annual game between the Democrats and the Republicans of this House. That is pure entertainment and not a business. The money received from the spectators is turned over to charity.

But certainly the gentlemen erred in not classifying professional baseball or professional hockey as a business. Surely it is entertainment, but it is certainly a business as well, for the owners of the teams do receive the money from the games and are very much interested in the amount of money received. While it may be true that the owners are interested in the advancement of the sport, it is equally true they are interested in the profit that the sport produces.

It has been argued that professional sports, because they constitute entertainment, should not come within the scope of the antitrust laws. If entertainment is to be the test, those engaged in the theatrical business or in the movie industry will certainly want to be excluded. They have been the subject of many antitrust suits.

If professional sports are excluded from antitrust laws, it will be the first time any American business has been so excluded, without having been made subject to a regulatory commission, like a public utility. If the Congress excludes this business of sports from the coverage of the antitrust laws, it offers a precedent for other businesses to press for exclusion as well. Which industry will be the next to argue that it should not be covered by the antitrust laws?

Mr. Chairman, my amendment is directed against subsection 4 of paragraph 1 on page 2, which it proposes to strike for several reasons:

First. The baseball owners should not be given the power to prohibit television or radio broadcasts of professional sports. They may exclude such coverage of the games of their own teams now if they wish to, but they cannot now act in concert together to prevent such broadcasts. Under this section of the Walter substitute, they could band together to reserve television broadcasts or broadcasts to closed or pay television.

Second. The Department of Justice is opposed to this clause, because it permits a group of businessmen to act in concert to control the distribution of their product over the airways. To my knowledge, no other group of businessmen is given this right.

Third. This clause will permit the owners to restrict press coverage of their sports contests. You will note that the words "pictures of sports contests" in addition to the words "broadcasts and telecast reports." What is to prevent the owners of the teams from acting in concert to grant a monopoly for press coverage to a particular wire service or to its photographers, and to exclude other press coverage?

Mr. Chairman, I cannot believe that the American public approves the action proposed in the Walter substitute to permit the owners of the teams to control their industry. They have immense powers over their players now. The Walter substitute will increase those powers tremendously and permit them to engage in greater play exploitation. Those who favor the substitute argue that the Celler bill will be an invitation to litigation for disgruntled players. The facts are to the contrary. Even with the decision by the Supreme Court holding that professional football was embraced within the antitrust laws, there has not been the threatened flood of litigation; and those who own the franchises continue to prosper. The Walter substitute takes away a safeguard which would help assure proper operation of this business for all concerned.

The Walter substitute may offer a short-term benefit to the owners of the teams. In the long run it will be injurious to the cause of organized professional sports, to the players, to the spectators, to the public in general and yes, to the owners themselves.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. DOWDY].

Mr. DOWDY. Mr. Chairman, I support the Walter amendment to the bill. Undoubtedly, or it seems so to us, at least, the actions of the United States courts are going to destroy organized sports unless Congress takes some action. It is claimed that this bill, H. R. 10378, will give relief to let them stay in business. In my opinion, the bill does not accomplish that intent and purpose. The problem involved has been fully discussed here, and I shall not go into it in any greater detail.

I believe the words in the bill as written would, in fact, cause endless litiga-

tion, which would result in Congress itself abolishing or destroying organized sports, just as is going to be done by the Supreme Court if Congress takes no action. I am unwilling to vote for such destruction. For that reason I support the Walter amendment. Feeling as I do about it, I wrote these short additional views on page 13 of the report, that have been referred to, and I was joined in these views by 6 other members, making 7 in all, of the Judiciary Committee.

Mr. Chairman, I sincerely hope the Walter amendment is adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. YATES] to the amendment offered by the gentleman from Pennsylvania [Mr. WALTER].

The question was taken; and on a division (demanded by Mr. YATES) there were—ayes 11, noes 93.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALTER].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. BOLAND, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee, having had under consideration the bill H. R. 10378 to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes, pursuant to House Resolution 595, had directed him to report the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read a third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

## OMNIBUS JUDGESHIP LEGISLATION—A CRITICAL NEED

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, the Attorney General's Conference on Court Congestion and Delay in Litigation, which was held here in Washington on June 16 and 17, stressed more than anything else the tremendous need for additional judges to stem the growing backlog of cases in our Federal courts. I am sure this conference succeeded in alerting thinking members of the legal profession and the public to the gravity of the situation and I commend the Attorney General and his associates for the service they have rendered.

The true success of the conference can only be measured, however, in terms of what it actually produces. Congress enacts a judgeship bill or bills providing for those additional judgeships recommended by the Judicial Conference of the United States, the Conference will have been a magnificent success. I hope it will be.

For any who still harbor doubts as to the need for more judgeships, I call attention to the excellent address delivered to the conference by Bernard G. Segal, chairman of the American Bar Association's Standing Committee on the Federal Judiciary. Mr. Segal, a prominent and distinguished Philadelphia lawyer, presents a convincing and appealing case for more judgeships.

This country, and the legal profession in particular, are indeed fortunate to have men such as Bernard G. Segal and others in the American Bar Association who are willing to devote so much of their time and energies to the continuous struggle to maintain a vital and independent Federal judiciary. I trust that their efforts will not be in vain, but that Congress will act now to insure all of our citizens that kind of justice which has been referred to as the keystone of America's strength.

Under unanimous consent I ask to insert at this point in the RECORD the complete text of Mr. Segal's address. It is well worth the time of every Member to read it:

OMNIBUS JUDGESHIP LEGISLATION—
A CRITICAL NEED

(Address by Bernard G. Segal)

I

The Attorney General's letter convening this conference, enjoined us to evaluate whether the work of the first Conference on Court Congestion, 2 years ago, had proved of lasting value, or of no more than temporary significance. A very large part of the answer to that question depends on whether the omnibus judgeship bill will pass into law. I hope it will. I hope all our efforts here for these 2 days, and the momentum of all the activities we can put into motion, both as individuals and as designated representatives of large portions of the bench and bar of the Nation, will result in a surge of effective public opinion, convincing to Congress, of the imperative need for this bill.

When the Attorney General's conference first convened here in May 1956 there were then pending in the 84th Congress omnibus judgeship bills embodying the recommendations of the Judicial Conference adopted at its September 1955 meeting. They provided for 21 new judgeships, which are still contained in the current omnibus judgeship bill. At that first Attorney General's Conference, Chief Judge Biggs reviewed the omnibus judgeship bills as they stood in the Senate and the House, adduced convincing reasons and statistics in support of the bills, and optimistically reported the information which had come to him that it was the plan of both Judiciary Committees of the House and Senate to move those bills forward. The sobering fact is that today, 2 years later, and almost 3 years after the Judicial Conference adopted the recommendations, not a single one of the judgeships asked for in those omnibus bills has been created.

But if the legislative program remained static, the recommendations of the Judicial Conference did not, and the mounting needs created by the increase in the quantity and complexity of litigation resulted in recommendations at the September 1956 meeting of the Judicial Conference for 37 additional judgeships in place of 21, and by last September 1957 the situation had grown so much more critical that the number of additional judgeships recommended had risen to 45.

The 1956 Judicial Conference recommendations for 37 judgeships were embodied, with only a single deviation, in the omnibus judgeship bills now pending in the Congress—S. 420, introduced by Senator EASTLAND, chairman of the Senate Judiciary Committee, and H. R. 3813 introduced by Congressman CELLER, chairman of the House Judiciary Committee. Public hearings were held on S. 420 almost immediately after introduction, but there has been no action on either S. 420 or H. R. 3813 since then. Both bills still rest in Committee.

True enough, the Senate acted favorably in the first session of the present Congress on a number of bills creating additional judgeships, but these bills failed of House approval. The Senate bills would create 24 additional judgeships; they omit 15 of those recommended by the 1956 Judicial Conference and add 3 not included in any of the Judicial Conference's recommendations to this day.

The 1957 Judicial Conference recommendations for 8 more judgeships, bringing the aggregate number of new judges to 45, have not yet been included in any omnibus judgeship bill in either House.

Hereafter, when I use the phrase omnibus judgeship bill, I shall be referring to a bill containing all of the recommendations of the Judicial Conference, 45 new judgeships—a bill which, though phantom today, will I hope become a reality shortly by amendment of S. 420 and H. R. 3813.

Why is it that we still have no omnibus judgeship act? Is there anything wrong with the recommendations of the Judicial Conference on which the omnibus judgeship bill is based? To answer those questions, we must first review the procedure by which the recommendations were arrived at.

II

Up to 2 years ago, the Judicial Conference consisted of the chief judges of the 11 circuits and the Chief Justice of the Supreme Court, who presided. Since then, it has been strengthened by the addition first of the Chief Judge of the Court of Claims, later of a district judge selected to represent the district courts of each circuit, so that the Judicial Conference now consists not only of appellate judges, but of trial judges as well.

The Judicial Conference has two committees of judges charged with the responsibility of making the studies pertaining to the needs of the various Federal courts for

additional judges, and of making recommendations on this subject. One is the Committee on Judicial Statistics, of which Chief Judge Clark is chairman.

This committee makes a circuit by circuit and district by district study of the statistical matter pertaining to the handling of all types of cases, civil and criminal, in the Federal courts. In this, it works closely with Mr. Will Shafroth, Chief of the Division of Procedural Studies and Statistics of the Administrative Office of the United States Courts, and has available to it the very complete and thorough data and statistics compiled by Mr. Shafroth's office.

I do not know how many of you have taken occasion to look at the annual report of the Director of the Administrative Office. You would find it imposing in its completeness and its thoroughness. I have been tremendously impressed by the scope and the detail of the facts and figures it contains pertaining to every United States court.

The committee on judicial statistics, on the basis of its studies, makes recommendations to the other committee of the Judicial Conference which participates in formulating the recommendations for additional judges, namely, the committee on court administration of which Chief Judge Biggs is chairman.

Judge Biggs' committee in turn applies the human equation to statistics. Its members consider other aspects of the work of the court in each circuit and each district—nonstatistical aspects, personal and personnel problems, the personalities of the judges, conditions of health, distances to be traveled, population concentration and characteristics, in short, every relevant consideration bearing upon the number of judges required in each circuit and in each district. These two committees report their conclusions to the Judicial Conference.

To supplement the reports of these committees, the Judicial Conference has the advantage of the reports of the chief judge of each circuit and the representative district judge from each circuit. The recommendations of the committees on court administration and on judicial statistics are carefully inspected by the Judicial Conference and once again discussed circuit by circuit and district by district. Here, the suggestions are subjected to the scrutiny, in every case, of judges from the circuit involved who are familiar at firsthand with conditions existing there. The Conference accepts or rejects, or sometimes modifies, the recommendations of the two committees.

The Judicial Conference has established an objective, a reasonable one. Its aim is "to get the courts on the basis where an ordinary case can be disposed of within 6 months from filing to trial"—a situation which now exists in only 7 of the 94 district and Territorial courts, and in no district situated in a busy metropolitan area.

It is only after the searching process I have outlined that recommendations for additional judgeships are arrived at. I can think of no better method.

When a need for more judges has been discovered, studied, and agreed on, by such means through such a process, with conclusions based on published impartial statistics and responsible personal knowledge of all the conditions involved, and when it has been further objectively considered in the overall view of the whole judiciary branch which is the province of the Judicial Conference, can anyone seriously doubt the validity of the need? Or doubt the urgency?

The only criticism that has been voiced over the years is that the Judicial Conference has characteristically been too conservative in its recommendations, never too liberal. The need is usually far more urgent than the cautious Conference reports have indicated. And the urgency increases, for on the average, there has been a time lag of 3½ years between the recommendation for a judgeship and a judge's coming into the office in which he has by then been critically needed for a very long time indeed.

The present omnibus judgeship bill originated in this process. Statistics proved the need, personal aspects indicated the urgency, the committees of the conference reported, the conference formulated its recommendations. Then, as has been the custom since Chief Justice Taft lent sanction to the practice of judges advising and participating in the drafting of judiciary legislation, a bill was prepared by representatives of the Judicial Conference—in this case by Chief Judge Biggs and Judge Maris—with the assistance of the administrative office. It was then forwarded by the director of the administrative office to the President of the Senate and the Speaker of the House with the request that it be introduced and referred to the appropriate committees, the Judiciary Committees.

These procedures by which the provisions of the omnibus judgeship bill were arrived at give positive assurance of their correctness. But the provisions also bear the additional and convincing authority of the practicing lawyers of the country.

For upon unanimous motion of the standing committees on Federal judiciary and on judicial selection, tenure and compensation, the House of Delegates of the American Bar Association at its meeting in Chicago in February 1957 unanimously endorsed the bill as it then stood; and in February 1958 at Atlanta, the standing committee on Federal judiciary unanimously reported in favor of the enlarged bill, and once again the House of Delegates approved it without a dissenting vote.

The House of Delegates, of course, is an elected assembly representing groups of the organized bar, which in turn have a membership consisting of approximately 90 percent of all the lawyers of the country; its delegates come from every one of the States and Territories of America. Here, each recommendation was again carefully scrutinized, this time by practicing lawyers from every circuit and district for which a judgeship was recommended, each lawyer himself applying his specialized knowledge of the conditions in his own district. Any member of the House of Delegates may recommend amendment proposing either addition or omission of judgeships. None did so. The national conference of bar presidents likewise unanimously endorsed the bill. Accordingly, the omnibus judgeship bill bears the imprimatur of the widest possible crosssection of Federal judges and of practicing lawyers.

It is difficult to conceive a bill the origin, support, and substance of which could carry greater authority than this one.

III

I have described in some detail the manner in which an omnibus judgeship bill is born, in order to demonstrate the strong authority of knowledge and responsibility that lies behind its recommendations. I want next to lay before you enough of the facts to show at least by illustration the actual conditions facing the Judicial Conference. Professor Freund has said, "To understand the Supreme Court of the United States is a theme that forces lawyers to become philosophers." I fear that to understand the omnibus judgeship bill is a theme that forces lawyers to become statisticians.

The omnibus judgeship bill provides for the addition of 41 district judges ranging from Alaska throughout the United States, and 4 circuit judges. There has been distributed to each of you a map showing the circuits and districts for which the bill would provide new judgeships, and a chart comparing by circuits and by districts the judgeships recommended by the Judicial Conference with those provided for in S. 420 and H. R. 3813, and those covered by bills passed by the Senate at the first session of this Congress.

In view of the fact that Mr. Olney has reviewed the statistics pertaining to congestion and delay in litigation in the United States courts, I shall not detail them here. However, I have culled out a few figures which highlight certain aspects of the discussion pertaining to the omnibus judgeship bill.

I shall refer to civil cases only, since, as the report of the Administrative Office for the fiscal year 1957 demonstrates, they constitute the major problem of congestion in the United States courts. That is the category in which the number of cases filed and the backlog of cases undisposed of, have had such a meteoric increase.

In 1941, 38,000 civil cases were filed in the Federal trial courts. By the end of 1957, the number had increased to 62,000. The backlog of cases at the end of 1941 was 29,000; 16 years later, it was over 62,000. Thus the number of civil cases filed annually in the United States district courts has risen more than 62 percent since 1941, while the backlog during the same period has increased more than 112 percent. The situation is even worse with regard to private civil cases, which consume so much more time than any others. Here the increase in the number of cases filed is 94 percent, and the increase in the backlog is 144 percent.

Now, what has happened to the number of judges available to process these cases? In 1941, there were 197 district judges; in 1957, there were 248. So that to handle an annual increase of more than 62 percent in the number of cases filed and of 112 percent in the number still pending at the end of the year, only 26 percent more judges have been provided. The result is that whereas an average of 190 cases were commenced per available judge in 1941, the average was 248 per judge in 1957. Correspondingly, at the end of 1941, the backlog was 145 cases per judge; in 1957 it was 264.

The comparisons prior to 1941 are even more dramatic, but I have started with 1941 because that is the first year in which complete statistics on the current basis began to be kept in the administrative office. However, we do know that although the number of cases since 1900 has increased by approximately 400 percent, the number of judges in that time has only doubled, a difference of 200 percent; and this despite the fact that cases have been getting longer and more complex, and are on the average consuming a great deal more time today than they did at the beginning of the century, or even in 1941.

A startling fact is that since 1954, the number of judgeships in the Federal courts has actually been reduced—from 251 to 248. This is because three positions have been lost through the expiration of three temporary judgeships. Yet 3,000 more civil cases were filed in 1957 than in 1954.

The result is a staggering backlog of civil cases for many district judges. Today, in the Eastern District of Pennsylvania, the backlog is 502 per judge; in the Eastern District of Louisiana the backlog is 974 per judge; in the District of Alaska, Third Division, the backlog is a monumental 1628 for the one judge in the division.

Small wonder, then, that the length of time for getting cases heard has reached a point where the national median time interval was 14.2 months in fiscal 1957, and the interval from filing to disposition of private civil cases during the same period was approximately 47 months in the Eastern District of New York, 35 months in the Western District of Pennsylvania, 30 months in the Northern District of Ohio, and 28 months each for the Southern District of New York, the Eastern District of Pennsylvania and the Eastern District of Wisconsin.

To assist in correcting these conditions, the omnibus judgeship bill provides 4 additional judgeships in the Southern District of New York, 3 in the Eastern District of Pennsylvania, and 2 in each of the other districts named. The statistics in the annual report of the Director of Administrative Office of the United States Courts for the fiscal year ended June 30, 1957 provides equally convincing evidence of the need of the judgeships recommended for every one of the circuits and districts for which they are provided in the bill.

In the face of these conditions, judges are making imposing efforts to relieve the congestion in their courts, and in this they are receiving the cooperation of the lawyers, themselves and through the organized bar, at national and at local levels. The expanded use of pretrial procedures, the adoption of businesslike methods in the calendar call and the supervising of court calendars, the institution of consolidated trial lists, and the development of various other devices for promoting the expeditious disposition of cases have all produced results. Judges in courts where these conditions are aggravated are working harder and conducting trials and hearings more hours than ever before, in many cases to the point of exhaustion.

As a result of all these efforts, progress is being made in some respects, at least statistically. In 1941, the average number of private civil cases disposed of was 169 per judge; in 1957, this had mounted to 232, an increase of 37 percent.

But there is a real danger that the law of diminishing returns will come into play. I know personally of cases where judges, buried under crowded dockets and heavy arrearages of cases, are seriously concerned at the fact that they are without adequate time for consultation or deliberation, that they cannot accord their cases the study and reflection that proper handling requires.

All of us accepted rationing during the war without complaint, for the cause required the hardship. But today, there is neither justification nor need for denying prompt access to our courts, for lack of judges to preside in them. It was Chief Judge Learned Hand who strongly admonished "Thou shalt not ration justice." It is time we heeded that commandment.

The judges are hacking away at the backlog, but as they do so, the onrush of each day's new cases makes their progress almost imperceptible. The country continues to grow, industrialization moves forward, automobiles on the highways increase, and litigation mounts apace. During the past year, private civil cases filed in the district courts have increased by more than 10 percent.

In the Eastern District of Pennsylvania, where I practice, our judges have adopted and are pursuing every known means of relieving calendar congestion and every conceivable procedure to expedite the disposition of cases. Plainly, all their hard work has borne some fruit. There is discernible progress. For the first time in many years, fiscal 1957 showed more civil cases terminated than begun. But as one statistically-inclined wit in the clerk's office recently observed, at the present rate at which cases terminated exceed those begun, the list will become current in the Eastern District of Pennsylvania in 112 years. I suggest that the alternative of supplying additional judgeships is a preferable one.

IV

I have not heard it asserted that any of the judgeships provided by the omnibus judgeship bill are not needed; indeed, I am sure that any public hearings held on the bill will reveal, not that it seeks too many judgeships, but rather that it asks too few. This being so, we come to the question: What can we do about it?

In 1954, the late Chief Judge Harold Stephens, speaking of our need for additional judgeship, deplored the fact that in judiciary legislation, we can never have the benefit of the good old American habit, of waiting until a catastrophe has occurred and then summoning the legislative forces necessary to correct the conditions which produced the catastrophe. When a theater roof collapses because of inadequate building regulations, we promptly change the regulations; when a group of children die because of inadequate pure food safeguards, we immediately enlarge the inspecting authority; when strategic Pearl Harbor is revealed to be vulnerable to attack, we suddenly increase the naval, air, and land defenses. Delay in the disposition of judicial business is equally a catastrophe to litigants, whose properties and liberties are at stake, and therefore to the public. But it is not a dramatic one, which burns with a red hot light on the public horizon. If it were as dramatic as a theater fire would we not know what to do about it?

Our task is to bring home to the American people that the catastrophe is upon us, and the need for the cure is desperate.

In a statement on the floor of the House of Representatives just last week, Congressman KEATING, a ranking member of the House Judiciary Committee, eloquently pleaded that the recommendations of the Judicial Conference for additional judgeships, approved by the American Bar Association and so many other organized groups through the country, should be promptly enacted into law. He described the plight of the breadwinner of a family in Brooklyn, who, however worthy his claim, must wait 4 years for reimbursement of medical expenses and an award for damages suffered as the result of an automobile accident; and that of the small-business man, who however clear his right to the enforcement of an important contract, must wait 4 years before he can receive a judicial determination by the trial court. "High-minded ideals," Congressman KEATING said, "make good topics for patriotic speeches, but unless they can be translated into reality in our daily affairs, they are better left unspoken." And he added, "If you look at the record—at the stark statistics—you can come to no other conclusion but that one thing is needed above all—more manpower. If the Federal courts are denied it, American justice will wither on the vine."

What can we do about it? We can broadcast this message to all America. We must remember that the overwhelming weight of the public opinion of the country will be in our favor, once the public has been informed of the true condition of the courts and the real merits of the bill.

This is not the first time that legislation which everyone knew was critically needed waited for years until a convincing demonstration of public support resulted in its enactment. The same situation prevailed with respect to the bill increasing the salaries of Federal judges and Members of the Congress. On that occasion, we learned the important lesson that behind every movement for improved efficiency and effectiveness in government, there is an overwhelming weight of favorable public opinion, which unfortunately has no channel in which to direct itself toward its object. It needs only to be marshaled and expressed, to make itself effectively felt in the Congress. And with their hands upheld by assurances of the general support of enlightened opinion, Congressmen will have no hesitancy or reluctance to take the leadership in enacting legislation which they themselves have been persuaded from the beginning was wise. For it is the simplest act of patriotism to enact every possible measure to make the courts of our land promptly available to every citizen who seeks in them the legitimate remedies of the law.

In connection with the salary bill, we also learned effective methods of marshaling this public opinion. I refer to but one of them. At the beginning, we wrote letters to the editors and publishers of more than 10,000 American newspapers, magazines, and other journals of opinion, soliciting their views and enlisting their support. Hundreds, I daresay, thousands, published our letters in full; extensive editorial comment followed; communications came through the mail from members of the pubic in every corner of the country who theretofore had not even known the problem existed. Under the leadership of the American Bar Association, the responsible organized groups in the fields of agriculture, labor, business, and the professions were mobilized into action. The enormous volume of expressed opinion, all gathered in the compass of one report, proved of immeasurable assistance to the Congress in its soundings of public sentiment and its deliberations, and in inducing the final enactment of the desperately needed legislation. Even such testimony in opposition, as so wide a cast of the net was bound to haul up, served only to point out the overwhelming weight of sentiment in favor of the bill.

I profoundly believe that the same measure of effort would produce the same desired result in achieving the present legislation.

Where shall the leadership come from? The source was spotlighted this morning, when this conference was addressed by the distinguished president of the American Bar Association, the same man who 4 years ago served as general counsel to the Commission on Judicial and Congressional Salaries.

All the resources of the American Bar Association in existence when the campaign for adequate Congressional and judicial salaries was being waged are still available. In addition, during Mr. Rhyne's administration, two new agencies have been set up. One is a special committee on Federal legislation, the chairman of which is a highly esteemed former United States Senator, Robert W. Upton, of New Hampshire. The committee has an advisory group, the members of which come from every State in the Union. In addition, a Washington office of the American Bar Association has been established, under Mr. Donald E. Channel as director, as a clearinghouse for the activities of the association in its endeavor to be of help to the Congress in marshaling public sentiment in support of greatly needed legislation in the public interest.

The Administrative Office of the United States Courts is the appropriate source for the statistics forming the basis for determinations of the proper number of judgeships in the United States courts. The Judicial Conference is the most qualified agency to appraise these statistics and reach the proper conclusions to be drawn from them. Neither of these agencies can or should be expected to perform the task of stirring up sentiment by informing the Nation of the gravity of the problem and of the desperateness of the need for a remedy. If once again, the responsible leaders of labor and of agriculture, of business, and of the professions—of all segments of the American public—are to be organized into a mighty force to carry the battle forward, in my judgment it is the organized bar which must perform the task. Once again, the American Bar Association must take a commanding position of leadership.

V

As a Nation, we cannot be proud, we must be dismayed, at the dismal picture Federal court congestion presents. "If this condition is not remedied," Chief Justice Warren warned just last month, "it will seriously undermine what we have described as 'the keystone of America's strength' and will dilute what we have proclaimed as our 'main claim to moral leadership in the world community.'" It is entirely clear, that the plain

and serious crisis before us, can be met only by a solution comparable in size and scope to the need to which it is addressed. Only the large, specific measures contained in the omnibus judgeship bill will be enough of a remedy. Only that bill's prompt enactment will prove America's determination to make our judicial system work.

Americans have always reverenced their courts. But public confidence in the courts has rested squarely on the judges' ability to get their important work done, with skill, impartiality, and dispatch. It is a clear public duty to provide, for every court, for every judge on it, the conditions of work and the workload which will insure both a quantity and a quality of judicial output, of the highest standards of excellence, with the least delay in time.

No matter how lofty the pedestal on which we place our courts, where we do not provide a judge in his thin black robe to preside, there is no court, and we have issued a blanket denial of justice.

If it is true, that justice delayed is justice denied, and of course it is true, then certainly justice hurried in the pressure of crowded dockets and heavy arrearages of cases, without adequate time for consultation, deliberation, study, and reflection, is justice not only denied, but precluded in advance.

I do not believe the Congress wants this situation to prevail. I do not believe the people will stand for it. It is unthinkable that the omnibus judgeship bill will not pass. In my opinion, given an aroused public support, the bill will pass.

## AMENDING ATOMIC ENERGY ACT OF 1954

Mr. PRICE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12716) to amend the Atomic Energy Act of 1954, as amended, with amendments of the Senate thereto, disagree to the Senate amendments and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. DURHAM, HOLIFIELD, PRICE, VAN ZANDT, and HOSMER.

## THREE PERCENT EXCISE TAX ON FREIGHTS SHOULD BE REPEALED

Mr. MACK of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MACK of Washington. Mr. Speaker, I rise to urge that the House repeal the 3 percent wartime excise tax on freights which has been in effect since 1942.

This tax is unfair because it discriminates against the States of the Pacific Coast and the Far West. The principal products of these States are raw materials and semi-processed goods such as logs, lumber, shingles, plywood, and pulp. These are bulky products and their movement from the West where produced to the populous consuming centers east of the Mississippi involve long hauls often of 2,000 to 3,500 miles. Freight bills on such long distance movements of goods are unusually heavy and the 3 percent excise tax on the freight bills are a real burden.

The 3 percent freight tax tends to pyramid and pyramid since freights are collected on the haul of logs from forest to factory to be processed into lumber or plywood. More freight on the lumber and plywood is paid again when these are transported to door and furniture plants; again paid when the furniture and doors are moved from factory to wholesalers and again, when shipped by the wholesalers to the retailers.

The 3 percent tax on freights is burdensome and discriminatory.

It is said repeal of the 3 percent freight tax will cost the treasury $450 million a year. This is an exaggeration. If repeal of the tax saves shippers $450 million that will be added to their profits and they will pay back more than $200 million of this in increased income taxes on profits. If on the other hand, shippers pass the freight savings along to consumers that will mean lower prices for consumers and consumers will buy more goods thereby increasing factory production and employment and both the companies and the workers because of increased production and employment will pay more income taxes.

Repeal of the discriminatory and unfair 3 percent tax on freights will help manufacturing, will help the railroads, and will benefit workers by assurring them increased employment. Also it will tend to lower living costs and benefit the consumers of the Nation.

Everyone will benefit from the repeal of the 3 percent tax on freights.

## McGREGOR URGES ACTION TO ASSIST RURAL MAIL PATRONS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, during recent weeks the House Post Office and Civil Service Committee conducted extensive hearings which culminated in the passage of the postal rate and wage increase bill. I voted for passage of this legislation because I was firmly convinced that our hard-working postal workers were entitled to a raise in wages which would at least allow them to keep pace with the ever-rising cost of living. As you know, the postal workers, like all civil-service workers, are dependent upon Congress for their salary scale, and I have always believed that it was our solemn responsibility to see that they received wages high enough to assure them a decent standard of living.

However, having completed work on this particular legislation, I earnestly believe that it is now time for the Congress to give very serious consideration to the problems of our rural mail patrons.

During the first session of this Congress I introduced H. R. 766, a bill to grant rural mail service to all patrons. Since that time I have received assurances from both the Post Office Department and the Bureau of the Budget that they have no objections to this bill. Yet, to date, no hearings have been scheduled on it, and I am fearful that unless hearings are scheduled at once no action can be taken in this session of the Congress.

I realize that the Post Office and Civil Service Committee, under the capable majority leadership of Congressman MURRAY, of Tennessee, and the equally capable minority leadership of Congressman REES, of Kansas, is an extremely busy committee, but I hope that they will find time to give careful consideration to this legislation.

As you well know, Mr. Speaker, I have for a long time believed that all of our citizens are entitled to mail service by rural carrier whenever it is at all possible for the carrier to reach them. With the Post Office Department having removed all objections to my bill, and with strong support for it among many Members of Congress, I think that the time has finally come when positive action can and should be taken.

Of course, I realize that in some parts of our country distances are so great, and rural families so widely separated, that rural delivery is not possible. But in my own State of Ohio, which has been heavily populated for over half a century, and where we have a fine highway system, I can see no excuse for depriving a single rural family of mail service.

H. R. 766, the bill I have introduced, will give the rural citizens of my district, and rural families everywhere, the kind of mail service they so richly deserve, and I hope that the Post Office and Civil Service Committee will begin consideration of this legislation as soon as it is at all possible to do so.

## UNITED STATES PAVILION, BRUSSELS WORLDS FAIR

Mr. MORANO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MORANO. Mr. Speaker, much criticism has been leveled at the United States pavilion at the Brussels Worlds Fair. I myself have criticized one aspect of our exhibit. After many protests from leading art authorities, I sought to bring about a more representative display of American paintings than was originally planned for our pavilion.

On April 9, I was informed by the United States Commissioner General, Howard S. Cullman, that exhibits of leading American artists would be shown in the official reception rooms of the commissioner general, and that some 30 other representative paintings had been borrowed and would be displayed in the official residence of the United States Ambassador for the duration of the fair.

Yesterday the foolishness of this arrangement was brought home to me. A group of some 80 Americans, represen-

tative of a cross section of business, government, and the press, returned from the fair.

They saw our official art exhibit at the United States pavilion. Less than a half-dozen had a chance to see the exhibit at the Embassy and still less were afforded a view of the exhibit in the commissioner general's office.

If this is true of a group of Americans, then what opportunity does the average European visitor to the fair have to see these paintings?

I am indeed disappointed that our truly American art is not available to the view of the visitor to the Brussels Fair.

My section of Connecticut has long been one of the outstanding artists colonies in this Nation. The exhibit of geometrical designs and combinations of spattered colors may in truth be art to the connoiseur. But few of the 80 Americans returned proud of the exhibit, and I understand that few Europeans are impressed.

As for the pavilion in general, I was pleased to learn that of 72 Americans who answered an impromptu poll taken on the airplane, 36 thought our exhibit generally excellent; 31 thought it was good, and only one thought it poor. Asked what they thought was the opinion of the average European visitor of our pavilion, 41 replied they thought the European reaction was excellent; 22 fair, 6 thought it was poor.

Apparently we have done a good job. It is unfortunate, though, that Europe, the cradle of culture, is not afforded a true picture of representative American painting.

## ELIMINATION OF TRANSPORTATION EXCISE TAX

Mr. BROWNSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BROWNSON. Mr. Speaker I hope that when the matter of the extension of certain excise taxes and the continuation of the 52 percent corporate tax rate again comes before the House that some opportunity will be given those of us who oppose the extension of all of these excise taxes to vote for our convictions on this bill. I have received thousands of letters from interested citizens urging the repeal of transportation excise taxes. This matter is so important to me that I was prepared to vote against the whole bill as a protest against the package deal we were offered when the tax bill was before the House a few weeks ago. I was 1 of the 17 who stood to request a rollcall on final passage in order to have a chance to express these convictions in the form of a vote.

Recent action in the other body indicates there is a substantial sentiment in favor of eliminating this transportation tax. While we must all recognize the continuing need of Government for large tax revenues and appreciate the dangers of deficit financing at the expense of generations yet unborn, it appears we are paying a high price for a relatively small amount of revenue in the case of these transportation excise taxes and, in all probability in the case of the excise taxes on automobiles and parts.

In the case of the transportation excise tax, the high cost includes the burden which these war-imposed taxes place on our already lagging commerce. It includes the hardship they place on our traditional systems of heavy freight movement, the railroads, and established trucklines. It includes the growing discrimination these excise taxes foster against thousands of small businesses which, unlike major companies, cannot afford to purchase and operate private vehicles for long-haul use to escape this specialized tax. Their needs cannot be met by contract carriers. The long-haul shipper is discriminated against in favor of the short-haul shipper who finds it economical to use his own equipment. To this extent, residents of distant parts of our country are forced to pay this tax which can be avoided by consumers in the more populous East. The United States shipper and the United States transportation industry is taxed while its competition in Canada and Mexico are free of this form of taxation.

This tax penalizes America's ability to move; one of our greatest assets in peacetime commerce or in defense mobilization.

It is time the old theory of plucking the feathers from the goose who squawks the least is replaced as our tax philosophy. I urge that the House be given a chance to go on record as to its position on this transportation tax. I want my constituents whose livelihood and cost of living are affected by this specialized sales tax to know where I stand. I am in favor of the elimination of the transportation excise tax while we still have a privately owned system of railways to protect.

## PROPOSED NEW DAIRY PROGRAM

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON. Mr. Speaker, we shall take up consideration very shortly of farm legislation of great importance to the entire Nation. The House Dairy Products Subcommittee heard discussions of various proposals of the National Grange, National Milk Producers, Farm Bureau, Farmers Union, and National Dairymen's Association. We also heard the Secretary of Agriculture and received his recommendations in regard to dairying.

After these extended hearings the Dairy Products Subcommittee worked for almost 2 weeks in executive session in an effort to work out a bill which would have the best features of all the proposals made and would be a bill upon which we, as Democrats and Republicans, could agree. There are some features of the bill which I would like to have seen strengthened. But in order to come out with positive legislation it has been necessary for both sides to agree.

For the first time in many years the dairy farmer will be able to let the country know by his own vote if he wants a comprehensive dairy program. Many of the sections of the bill call for decisions on the part of the farmers themselves as to whether or not they wish to continue with the present programs or to put new ones into effect. A new dairy program is proposed in H. R. 12954 which would go into effect if a majority of the dairy farmers voted in favor of it.

Because many of my colleagues, like myself, are getting inquiries about it I have worked out a set of questions and the answers on the most pertinent points.

They follow:

QUESTIONS AND ANSWERS ON DAIRY TITLE OF H. R. 12954—TITLE VI: MILK

1. What is the proposed new dairy program?

Title 6 of the general farm bill, H. R. 12954, reported with a recommendation to pass on June 16, by the House Agriculture Committee, deals with price supports on milk or butterfat used in manufactured dairy products.

Under current legislation, section 201 (c) of the Agricultural Act of 1949, milk prices are supported by USDA through the purchase, storage, and disposal of manufactured dairy products. Permissible support level is 75 to 90 percent of the parity equivalent for manufacturing milk.

The proposed title 6 would establish a new type of dairy support, at 90 percent of parity, and with provision for marketing quotas and compliance deposits under certain conditions.

2. How was the dairy plan developed?

For several years, it has been realized by producer groups that the current program, while of some benefit to farmers, had several shortcomings, including a failure to assure farmers a satisfactory return for their labor and investment, failure to balance production with markets, failure to gain added consumption, and excessive cost.

For this reason, numerous dairy groups and individuals in and outside of Congress have over a period of years been studying alternative plans for a better support system for dairy products.

Title 6 was drafted by the Dairy Subcommittee of the House Agriculture Committee, drawing upon the legislative recommendations and proposals of many groups and individuals.

It is not a hasty, spur-of-the-moment bill. It is the result of long study and numerous hearings. It brings together support mechanisms and ideas which have had careful consideration by farmers and by farm leaders in the Congress.

Certain features of the bill, accepted from proposals of Milk Producers, National Grange, Farmers Union, and other groups and individuals, represent the considered judgment and experience of these groups and individuals.

Title 6 is a bipartisan effort, having been drafted and recommended by 3 Democrats and 3 Republicans on the Dairy Subcommittee.

3. If adopted by Congress, would the new plan be forced on dairy farmers?

No. The bill provides that a referendum would be held in December 1958 in which dairy producers from the entire Nation would vote on the adoption of the new plan. If the new plan were not approved by a majority of dairy producers, then the current program under the Agricultural Act of 1949 would continue in force.

4. If adopted, when would the new program be put into effect?

If approved in the December referendum, the new dairy plan would go into force on April 1, 1959.

Elections to nominate the dairy board members would be held early in January 1959.

5. Would any provisions of the dairy bill apply before April 1959?

Yes; several provisions of the bill apply to special dairy programs. These would be effective on approval of the bill.

If H. R. 12954 becomes law, the special school milk program and the veterans and Armed Forces milk programs will be extended for 3 years.

Also, under the current program of purchase of dairy surpluses, any vendor who sells dairy products to the Government would be required to certify that he had paid the producer the equivalent of the support level which is in effect.

6. Will the new dairy plan operate through fundamentally the same purchase, storage and disposal system as at present?

No. The system of purchase and diversion of dairy surpluses has proved only moderately effective and has been costly considering the benefits to farmers.

In a recent year, CCC realized only 60 cents per hundredweight from the disposal of dairy stocks and showed a loss, including acquisition, storage, and disposal of the $4.18 per hundredweight.

The dairy surplus, although small as a percentage of total production, has been expensive to divert and has had a deleterious effect on prices paid to dairy farmers.

It is not felt reasonable that a new dairy program should go into the same problems, headaches and expenses as CCC has encountered.

7. Does the farm bill provide a mandatory dairy support program?

Yes; the bill would require by law that there would be a support program on milk and butterfat used for manufactured dairy products at not less than 90 percent of parity, operated through direct deficiency payments to farmers; providing that dairy farmers approve such a plan in a national referendum.

Title 6 also provides for the establishment of a national dairy board which would have certain specified powers.

8. Under the new plan, what decisions would be made by farmers?

As a group, dairy farmers would decide in a referendum whether or not they want the new program.

If they approve the new plan, they would nominate by election, the members for the national dairy board.

As individual dairymen, they would determine for themselves whether or not it is in their financial interest as individual operators to comply with such marketing quotas as may be in effect at a given time.

9. What decisions would the dairy board make?

The dairy board would, prior to each marketing year, estimate the probable open market price likely to be paid to farmers for milk and butterfat used in manufactured dairy products in the absence of a Government support program.

If the probable market price is likely to be less than 90 percent of parity, then the dairy board has the authority to require compliance with marketing quotas as a condition of eligibility for price support.

If marketing quotas are required, the dairy board shall require compliance deposits to be withheld from the payment made to producers for all milk sold.

The board is directed to study the dairy situation, dairy cost of production, and other related factors, and make a recommendation not later than January 1961, for future dairy legislation.

10. What decisions would be made by the Secretary of Agriculture?

Major decisions on policy are up to the Dairy Board rather than to the Secretary of Agriculture.

He is directed by law to maintain a dairy support program at 90 percent of parity.

He is directed to establish a farm-marketing base for each dairy farm, taking into consideration historical production, trends, and other pertinent factors.

If the Dairy Board does not invoke such quotas as may be indicated by the law, the Secretary is empowered to reduce the level of price supports.

11. What would happen to retail dairy prices under the new program?

The support level under title 6 would be 90 percent of parity. This would be about $3.71 per hundredweight as compared with $3.06 under current program.

Part of the increase for farmers would be achieved by supply management, part by deficiency payments.

The return to the farmer would be raised about 65 cents per hundredweight altogether.

If half of the increase were achieved through direct payments, then supply management would account for the other half in the form of a raise in market prices. Half of the 65-cent increase, then, would mean an increase of 32 cents. This would raise the current support level to $3.38 per hundredweight, only 13 cents above the support level of $3.25, which prevailed up to March 31, 1958. Certainly, 13 cents per hundredweight should not have a great effect upon retail dairy prices.

12. What would be the effect of title 6 on national economic conditions?

The provisions of this bill would improve farm and national economic conditions.

The deficiency payment-supply management program would augment the income and purchasing power of farmers without significantly adding to the cost of raw materials and inflating the cost of living for consumers.

At the same time, the additional income brought into agriculture would stimulate business, industry, and employment.

13. Would the title 6 plan result in a loss of consumption of dairy products?

The hopes of maintaining present consumption levels and eventually increasing them would be best under a direct-payment type of support program.

Since not all of the price reduction to farmers in recent years has been passed on to consumers, it follows that not all of a price increase for farmers would now need to be reflected in higher retail dairy prices.

In any case, the increase in dairy market prices due to a program such as that contemplated in title 6 would be less than under any other proposed program to raise dairy income.

14. Does the plan have severe controls for dairy farmers?

No. The extent of the marketing quota reduction is strictly limited by law. The reduction in marketings may not be more than 2 percent in volume for each 5 percent which prices are below 90 percent of parity. Thus, even if prices were at the estimated open market level of 70 percent of parity (USDA estimate), the largest cutback which would be imposed would be 8 percent.

Furthermore, compliance with the cutback is voluntary.

A producer can produce and market as much milk as he desires if he is not interested in receiving price support assistance, or in receiving refund of his compliance deposits.

15. How would the bases and quotas be assigned?

A farm marketing base would be established for each dairy farm according to historical production and trends. The base would belong to the farmer rather than to the herd or to the farm.

The Secretary of Agriculture would determine rules and regulations regarding the assignment of bases and also for transfers of quotas or quotas for new producers.

16. How about a new producer who has no marketing base?

The manner in which bases and quotas would be obtainable by new producers would be determined by the Secretary of Agriculture.

However, any new producer could start in the dairy business and produce for the open market. Market prices would tend to be higher than at present because of the supply control feature of the bill.

Therefore, a beginning producer could enter the market, and even after paying and forfeiting his compliance deposit, would be getting a higher net price than prevails at the present time.

After the new producer had been marketing milk for a length of time to be specified by the Secretary, he would be assigned a base and quota. Thereafter, if he complied with his quota, he would be eligible for price support payment and refund of compliance deposits.

17. Are all farmers subject to quotas and compliance deposits?

All dairy farmers, if they wish to be eligible for price support and for refund of compliance deposits, must comply with whatever marketing quota may be in effect for their farm.

18. Would quotas be in effect at all times?

No. Quotas would be in effect only in such years as the dairy board might estimate that the average dairy price paid to farmers for milk and butterfat used for manufacturing purposes would be below 90 percent of parity.

If the dairy board determines that the market demand and supply conditions are such that the market price for the year will not average below 90 percent of parity, the board would have no authority to invoke quotas, to require compliance deposits or to make deficiency payments to farmers.

19. Are farmers willing to accept moderate controls?

It is generally recognized that farmers are willing to accept a moderate reduction in marketing volume in return for a higher support level.

Farmers generally do not feel there is any good purpose for producing milk for which there is no reasonable market—that is surplus milk which causes problems for farmers and the Government alike.

20. What is the purpose of the compliance deposit provision?

The purpose of compliance deposits is to provide an incentive to comply with the quotas. The refund of the compliance deposit is a premium to those who comply in return for assisting in keeping supply in balance with needs. It becomes a penalty to those who insist on producing beyond market needs.

Those who wish to produce and market more than their quota are entirely free to do so if they are willing to forgo price supports and refunds of compliance deposits.

21. Would the refunding of compliance deposits and payments of deficiency payments on an annual basis be a hardship upon producers?

No. It is expected that the support plan will result in a market price sufficiently higher than the present level in order to compensate for the deduction of the compliance deposit.

Even after deduction of the deposit, farmers will be receiving a higher market price than at present.

Thus, in terms of their current operating condition, dairy farmers will be better off than at present, and besides will be building up a sizable credit in deficiency payments and compliance deposits. If necessary, of

course, in an emergency a farmer could use this credit as the basis for a loan repayable when the USDA checks are received.

22. What is unique about this control system?

The unique features of this control system are:

(a) Compliance with controls is voluntary.

(b) Those who produce the price-depressing surpluses will, through forfeiting their compliance deposits, help maintain the income of dairymen who do cooperate in keeping supplies in balance.

(c) Quotas will become effective in response to a price condition rather than a supply condition. In this way, quotas will come into effect, perhaps, somewhat earlier than otherwise and will more easily head off surplus trouble.

23. Would this program be successful in deterring surplus production?

Yes. There would be sufficient incentive for compliance with quotas to keep production in reasonable balance.

While some farmers might find it possible to produce unlimited quantities of milk at the open-market price, less the compliance deposit, most producers would have an important share of their net income tied up in the payments and refunds.

For example, a dairyman with 30 cows (marketing quota 1,800 hundredweight) would have over a year's time, compliance deposits of $450 withheld from his checks at the 25-cent rate. If the deficiency payment amounted to 40 cents per hundredweight, he would be eligible for deficiency payments amounting to $720. Most producers would not find it advisable to forego these payments in order to put unlimited production on the market.

24. How would a producer benefit who sells most of his milk for fluid use?

Producers who sell largely for fluid milk use under Federal or State milk orders would benefit directly and substantially from this program.

In most milk orders, the class I price is calculated as a set premium over and above the manufacturing milk price. Therefore, any strengthening of the manufacturing milk prices will result in a higher class I price. Any reduction of surplus manufacturing milk will result in a higher blend price.

The compliance deposit would be deducted on sales of all milk. Producers who complied with their quotas would be entitled to refund of their compliance deposits.

In actual practice, the effect of the program in milk order areas would be that any reduction in production would come out of surplus manufacturing milk.

25. How is the consumer protected from shortages?

There is a specific limitation in the degree of cutback which may be required.

This is not a program of planned scarcity—it is a system of regulated abundance. The amount of cutback is only such as is necessary to keep the cost of direct support payments moderate.

The quotas go into effect only when supplies have become sizable enough to weaken farm prices.

There would be no shortages—production would merely be balanced with the demand which exists at a fair price.

26. Would the new plan be difficult to administer?

No. The plan would be relatively simple to operate.

It would be far less cumbersome and costly—in manpower and money— than the present program in which the Government is involved to the extent of millions of dollars and thousands of employees in purchasing, storing, and disposing of dairy stocks.

The farmer could apply for his deficiency payment and refund of compliance deposits through the county ASC committee. Detailed accounts of marketings by farmers already exist as a regular business practice of milk dealers and handlers.

There would be no special technical problems in administering the program.

All in all, the title 6 program should make possible a reduction in administrative expense for dairy purposes.

27. Would the new program be costly?

The program is self-financing because money for the deficiency payments will come out of forfeited compliance deposits.

No outlay from the General Treasury will be needed to finance the program payments.

The current program has cost $300 to $500 million a year in recent years and has been successful only in raising dairy farm prices by about 5 percent. The new program would raise the dairy farmer's return by 15 percent with no cost to the general taxpayer.

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## HOW TO GET RID OF OUR SURPLUSES WITHOUT GETTING RID OF OUR FRIENDS

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, the committee report on H. R. 12954, the bill to extend the agricultural surplus disposal program states—page 29—that "although Public Law 480 is primarily a disposal program, one of the main objectives of the act is to further United States foreign policy objectives." As far as the recipient country is concerned, it undoubtedly does further our foreign policy objectives.

But other friendly countries—including some of the best friends that we have—have been turned away from us by the way the act has been administered. If it is one of our foreign policy objectives to keep the friendship of our friends and allies, as it assuredly is, then this objective is not being attained.

Public Law 480, since its enactment in 1954, has contained no language safeguarding third-party friendly nations from having their markets disrupted by our surplus disposal activity. In an earlier act, section 550 of the Mutual Security Act of 1953, Congress expressly directed the President, in negotiating agreements for the sale of surplus commodities, "to take reasonable precautions to safeguard usual marketings of friendly countries." Unfortunately, the Agricultural Trade Development and Assistance Act of 1954—Public Law 480—omitted this clause.

### HOW THE PROGRAM OPERATES

The effect on friendly countries has been severe.

In practice, the program has been operated largely by the Department of Agriculture, and largely as a means to funnel surpluses abroad without need for the consequences. Gwynn Garnett, Administrator of the Foreign Agriculture Service, Department of Agriculture, testified last year on Public Law 480 before the Senate Committee on Agriculture and Forestry:

The objective that we have followed is to move the commodity rapidly * * * the instructions as we interpreted them from the Congress were that we were to move the stuff, and that is what we have done.

Under Public Law 480, we sell farm surpluses for soft foreign currency, or barter them for strategic materials, or give them away for relief purposes. A Canadian wheat grower, or a Mexican cotton planter, or an Australian dairyman cannot afford to sell his commodities, as we do, for nonconvertible currency and then turn around and lend a major share of it back to the recipient country at low interest rates for periods of up to 40 years.

### "SOME OF OUR BEST FRIENDS"

Thorsten V. Kalijarvi, Deputy Assistant Secretary of State for Economic Affairs, told the Senate Committee on Agriculture and Forestry last July that:

Title I of Public Law 480, however, and the barter provisions of title III, cause us serious foreign relations problems with virtually all other exporters of any of the agricultural products included in title I agreements. The basic problem, of course, is to insure that title I sales or title III barter operations do not displace, or appear to displace, commercial sales at world market prices which we or some other Free World country would otherwise have made. Most other nations which export agricultural products are greatly dependent upon such exports for the bulk of their foreign exchange earnings. They are not able, as we are, to sell for foreign nonconvertible currency at prices unrelated to either the cost of production of the commodity concerned or to the level at which the price of the commodity is supported domestically. * * * We have not been completely successful in preventing all injury, and some of our best friends abroad have apparently been hurt the worst. * * * What I have been trying to say in my statement is that Public Law 480 is not an unmixed blessing; that it does have disadvantages as well as its good points. One of our basic objectives is to keep our relations with other exporting countries on an even keel.

Among the friendly nations who, according to Mr. Kalijarvi, "have been vocal in their complaints of injury by the United States in the form of displacement of their exports from the world's import markets" are Canada, Australia, New Zealand, Denmark, Mexico, Uruguay, Argentina, Burma, Italy, and Peru.

Take Canada; United States wheat exports, largely as a result of Public Law 480, increased from 345 million bushels in 1956 to 550 million in 1957, while Canadian exports during the same period declined from 310 million to 260 million bushels; 1956 figures were approximately the average annual figures for each country for the prior 6 years. The Canadian Government, not surprisingly, attributes almost all of its loss from its regular export customers, such as the United Kingdom, Belgium, Western Germany, France, and Japan, to the effect of Public Law 480.

### EFFECT ON CANADA'S WHEAT EXPORTS

Another example of the disturbance caused to Canadian foreign trade occurs in the case of barter. In the 6-month period ending July 1, 1957, we negotiated more than $125 million of barter contracts, a large proportion in wheat. Following May 1957, the Department of Agriculture ended the barter program, so that only $3 million in barter contracts were negotiated in the last 6 months of

1957. During this last 6 months of 1957, United States sales of wheat under barter agreements declined markedly, but Canadian sales of wheat for export regained almost all the 50 million bushels of annual reports which had previously been lost.

These two examples show quite clearly how Canada's wheat exports declined when the United States stepped up its Public Law 480 activities, and recovered when Public Law 480 activities were reduced. H. R. 12954, in addition to renewing the general Public Law 480 authority, specifically directs the vigorous resumption of the barter program. Unless something is done to cushion this impact, therefor, Canada is shortly going to feel the effect of our export surplus operation again.

WHAT CANADIANS SAY

It is not surprising that these activities have evoked protest from our good neighbor to the north. In the June 17, 1958, budget message before the Canadian House of Commons, the Honorable Donald M. Fleming, Minister of Finance, said:

United States agricultural policies continue to be severely damaging to Canadian interests. Apart from direct restrictions imposed on Canadian agricultural products, we suffer severe harm from United States surplus disposal activities. Massive United States disposal of wheat and other grains on give-away or subsidized terms have done serious damage to Canadian exports in some of our best commercial markets. Despite frequent and energetic Canadian complaints, these harmful practices have continued. We find it difficult to understand why the United States should treat its best customer and friendly neighbor in this way. We have made it clear to the United States authorities that measures which add to our difficulties in selling in the United States market or in third countries cannot but impair our ability and willingness to import from them.

In the same vein, the Honorable Gordon Churchill, Canadian Minister of Trade and Commerce, said in the Canadian Journal of Commerce on May 22, 1958:

Canadians have taken strong objection to the policies adopted by the United States in disposing of surplus farm products. This program has resulted in a direct loss of part of Canada's world market for wheat. The main criticism of this program has been the extent to which the disposal of wheat on concessional terms has disrupted or destroyed normal commerical markets for wheat. Canada feels that this type of action which partly alienates markets for years to come is not conducive to sound world trading relations in general. There has been some improvement in this regard in recent months, but Canada simply cannot compete for world agricultural markets against the United States disposal program, backed as it is by the wealth of the United States.

The importance of our surplus disposal policy to Canada is indicated by an article in the April 1958 Foreign Affairs, by Michael Barkway, Ottawa correspondent of the Toronto Financial Post:

A current list of Canadian complaints about the United States policy can be compiled easily, and partly according to taste. It must include the farm products disposal program, which seriously cut into Canadian wheat markets last year.

AMBASSADOR MERCHANT'S VIEWS

Our own Ambassador to Canada, Livingston Merchant, said in a speech early this year:

When I came to Ottawa 2 years ago, I did not believe that, as the problems multiplied and became more complex, the atmosphere itself might change and with the change solutions become more difficult. But this I now believe may be happening. There have been for a year or more signs of a change in mood or climate which it behooves both our countries to look at.

Mexico has also protested many times against the application of Public Law 480. Mexico's number one export crop, constituting 30 percent of her exports, is cotton. Since 1956, when our cotton exports under Public Law 480 began markedly to expand, Mexico's exports of her own cotton to such countries as Italy, Spain, France, Belgium, the United Kingdom, and Japan have declined by more than one-third.

THE AUSTRALIAN REACTION

Or take Australia. A considerable portion of Australia's foreign trade is the sale of wheat to India. Under Public Law 480, the United States and India in August, 1956, announced an agreement to finance the sale of 130 million bushels of American wheat to India for $200 million. Payments were to be made in rupees, of which 15 percent was to be made available to India as an outright grant, and 65 percent loaned to India for 40 years at a low interest rate. The chairman of the Australian Wheat Board, John Teasdale, wrote in the Farmers Weekly, October 11, 1956, that:

The United States is using the powers granted by Congress' Public Law 480 to dump primary products in other countries. The terms of sales, financial considerations and ethics of fair trade are being made subservient to the desperate desire to shift the responsibility for the care-taking and storing of products to countries other than the United States of America.

Before the Australian Federal Parliament on October 4, 1956, the Australian Minister for Trade, John McEwen, charged that Australian export prospects for wheat would be disturbed by the Indian arrangement. In a speech to the Australian National Catholic Rural Movement in April 1956, T. V. Strong, Director of the Australian Bureau of Agriculture Economics, said:

The dumping policy of the United States has been the most demoralizing in the history of international trade.

I have received from J. Bevan Todd, commercial counselor of the Australian Embassy here, a statement on June 5, 1958, of the attitude of the Australian Government toward surplus disposal:

The attitude of the Australian Government to the disposal of surplus agricultural products has been clearly stated, and in general may be summarized as follows:

(a) Australia recognizes that the problem of surplus production is, in many respects, a result of the great efforts made by United States agriculture to meet the special problems of war and postwar food shortages.

(b) Australia appreciates the fact that the United States has made substantial progress toward restoring a reasonable balance between production and market opportunities for a number of commodities. However, despite certain legislation, including the Soil Bank program, for a number of other commodities the solution of the fundamental problem of excess production does not seem to be in sight. Parity prices tied to levels of stocks seem to be self-defeating as far as balancing production and consumption is concerned.

(c) The fact remains that existing stocks of surplus farm products constitute a continuing threat to the stability of world trade in these products.

(d) Australia has never sought to deny these surplus products entry into world trade channels. Nor has it tried to obstruct their disposal on generous concessional terms for consumption by needy people who would not otherwise be able to purchase like commodities under commercial trading conditions. But Australia does seek to insure that surpluses will be moved under conditions that will result in the least possible disturbance to regular commercial marketings, whilst at the same time creating, if possible, an additional demand for the products.

(e) Australia considers that undue disturbance of commercial trade can be avoided only if the parties to a concessional disposal transaction afford other countries, whose interests are likely to be affected, the opportunity for effective consultations. To be effective, such consultations must represent far more than advice that a disposal transaction is being negotiated. They must provide for the transmission of information concerning the proposal in sufficient detail and in sufficient time for the interested country to examine the proposal usefully, and to make known its views to the parties of the proposal. Above all, the whole procedure of consultations can serve no purpose unless the representations made in the course of consultations are given full and genuine consideration by the country disposing of the surpluses.

PERU'S POSITION

Here is what the delegation from Peru to the International Cotton Advisory Committee had to say at the 1957 meeting of the International Cotton Advisory Committee:

Due to the importance of cotton in the national economy, the preoccupation not only of the Peruvian Government but also of the cotton producers and all economic circles of the country is entirely justified, regarding the program of excess production and exports of this fiber as well as other measures to protect producers adopted by the Congress and Government of the United States. In particular, this preoccupation is concentrated on the dumping of enormous quantities of excess production in the world markets (about 7 million bales in 1956–57, and probably 5 million bales in the 1957–58 season), and also sales made to countries which habitually purchase cotton from Peru, such as Chile, payable in local currency and at long terms.

We are considering the renewal of Public Law 480 at a time of renewed world tension, at a time when we need to keep every good friend we have. Certainly there are plenty of opportunities for us to dispose of our farm surpluses by selling them for local currency, which we then lend back to the buyer, or by swapping them for strategic materials, without unduly undercutting the normal trade expectancies of friendly countries. Our friends and allies deserve something better from us than a policy of beggar they neighbor.

What shall it profit this country if we empty our surplus warehouses, in return for some I O U's of remote value, if in the process we lose our best friends?

THE AMENDMENT

When H. R. 12954 comes to the House floor, as it will in the next day or two, I intend to offer an amendment which will add to the existing policy declarations of section 2 of Public Law 480 the following:

It is further the policy of Congress to take reasonable precautions to avoid displacing usual marketings of friendly countries.

If injustices have been done our neighbors under our surplus disposal so far, this amendment will put a stop to them. To those who may be tempted to argue in opposition to the amendment that no usual marketings of friendly countries have in fact been displaced, it can be answered that adoption of the amendment will then cause no change in the program.

I hope that a majority of Members will join me in demonstrating that the United States is willing to take the interests of its Free-World neighbors into account.

## MUTUAL ASSISTANCE LEGISLATION

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the conference report on the bill (H. R. 12181) be recommitted to the Committee on Conference.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BUDGE. Mr. Speaker, reserving the right to object, will the gentleman inform us what that report is?

Mr. MORGAN. Mutual security.

Mr. BUDGE. Would the gentleman inform me whether or not it is the intention of the conferees on the part of the House to remove therefrom the language which permits the appropriation of funds, which was not in the bill as it went to the House?

Mr. MORGAN. Yes. We are going back to conference on that subject.

Mr. BUDGE. I appreciate the reassurance of the gentleman and I wish to advise that if that language is not deleted it is my purpose to make a point of order against it.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. MORGAN]?

There was no objection.

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the managers have until midnight tomorrow night to file a conference report on the bill H. R. 12181.

The SPEAKER. Is there objection?

There was no objection.

## TAKING POLITICS OUT OF THE ICA

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized for 15 minutes.

Mr. PORTER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, if a person wants a job with ICA today does he or she have to get a clearance through the Republican Party? Not long ago this was a disgraceful fact. The International Cooperation Administration performs vital services for our national welfare and security the world around. Its overseas program of technical assistance in underdeveloped areas means a great deal more to our Nation than the most fearsome nuclear weapon.

ICA today provides that irreplaceable friendly weapon—human contact on a sharing basis, not as defender or aggressor. I have always felt that the United States, given a chance, would discover it has an abundance of such capable and qualified good will ambassadors.

Yet, when I came to this Chamber and started work as a Member of the 85th Congress it was not long before I learned what I had suspected—that the personnel policy of the International Cooperation Administration contained an unwritten proviso making employment contingent on political clearance.

My purpose in reporting to my colleagues at this time is to say that I have been informed by the Director now in charge of the agency that this sort of practice has been eliminated. I have been assured that ICA recruitment and hiring today is based on individual qualification and merit. Today there is no political test for ICA jobs, with the possible exception of mission chiefs and deputy mission chiefs.

In other words, Mr. Speaker, the men and women who represent us abroad are being selected without regard to political affiliation.

Today there should be no reason for a man distinguished in city administration and encouraged to apply for an overseas post to learn several months later that the central committee of the political party to which he did not belong had been asked to give him clearance. I learned of this in November of 1956 when the gentleman in question wrote to me:

In all seriousness, I would kind of like to find out why the blackball, unless it was politics which would be understandable, though deplorable in my opinion as being a guiding factor in filling this type of position, which is after all, an arm of our bipartisan foreign policy. I would greatly appreciate any assistance you might give me in this matter.

After being sworn into this Congress, I looked into the case. My research assistant was told by an assistant in ICA that "apparently" someone dropped the ball. The ICA spokesman said that "apparently" there was a political consideration involving my constituent's consideration and that the ICA recruiter had understood the constituent would not be available for any ICA position until after the 1956 general elections. This was untrue. My constituent was not a candidate.

On June 8, 1957, my constituent received a letter from Betty R. Crites, special assistant, personnel, office of the Deputy Director for Management, ICA. It said, in part:

Subsequent to a discussion with Congressman PORTER's office, and in reply to your recent letter to Mr. Ahern, we are pleased to know of your continued availability, and will certainly be in touch with you in connection with any appropriate openings.

There had never been any doubt in the mind of my constituent as to availability.

This sort of dilatory procedure on the part of the agency was perplexing. For several months I considered ways of tackling the problem. I talked with individuals who were familiar with the agency. On January 30 of this year I wrote my constituent:

On May 9 last year you wrote me about "political blackballs" in connection with your interest in an ICA job. I have more reason than ever to think that such influences may be determinative in this agency and I intend to get my teeth into the problem. Certainly we have to spend our money overseas wisely and tests for our personnel should be objective, not a matter of political affiliations.

By return mail, I learned that my constituent was disgusted with the delay by ICA and had little intention of considering employment with the agency, but felt "an investigation of employment practices in ICA might be most interesting." I agreed.

I could cite other samples of the then-active personnel policy of the agency. I could tell you that one longtime Hill staffer, of the other political party, advised one of my staff members that a constituent of mine need not seek ICA employment if he were not a Republican. This off-the-cuff remark, honestly intended to be helpful and friendly, was clear indication the agency policy needed correction.

Since February of this year I have talked with ICA employees in various levels. Most of these talks resulted in confirmation of my suspicions.

But, I found, too, that Director James H. Smith, Jr. who became agency head last October 8, had been unaware of the "clearance" custom on applicants. I believed Mr. Smith when he told me this.

Not much later, I learned from Director Smith directly that he had banished the "clearance" system. Miss Crites, brought in by Harold Stassen to clear appointments, resigned to enter private business. My constituents now report they are receiving fair and impartial consideration.

Because I believe employees in agencies such as ICA must be nonpolitical, I introduced legislation April 3, 1958, to provide penalties for violations of existing laws against racial, religious or political discrimination in hiring by the International Cooperation Administration. When I introduced H. R. 11869 I stated, "I am satisfied no such discrimination is now operating in ICA, but the political test was the rule there until recently and putting teeth into the law will help prevent its return." Under this proposed legislation to amend the Foreign Services Act of 1946, a violator could be imprisoned for a year or fined up to $5,000 or both. Violations now are not crimes. This legislation is

pending before the House Committee on Foreign Affairs.

Mr. Speaker, you will note that several times I have indicated ICA policy on hiring is without bias today. This is confirmed in the April 17, 1958, letter I received from Director Smith. He writes:

With respect to administrative clearances, I share your view that staff selected for assignment in the ICA program overseas should be the best qualified candidates available without particular regard for religion, race or political affiliation. And, I believe the employment practices being followed achieve this objective.

Whether or not additional legislation should be enacted to further safeguard against discrimination is, of course, for the Congress to decide. I shall continue, to the best of my ability, to administer a personnel system which is fair to all concerned.

Director Smith and I may not always agree, Mr. Speaker, but I consider his decisive and positive action in this matter of overseas ICA employment most commendable.

Mr. Speaker, under unanimous consent I place in the RECORD at this point some correspondence and newspaper articles in connection with this subject:

[From the Washington Post and Times Herald of February 4, 1958]

JOB POLITICS AT ICA MAY GET AIRING BY HOUSE GROUP

(By Jerry Kluttz)

Job politics at International Cooperation Administration may get an airing on Capitol Hill.

Several members have requested the House Manpower Subcommittee, headed by Representative JAMES DAVIS, Democrat, of Georgia, to determine whether ICA requires GOP clearances before the agency hires applicants for its positions.

Representative CHARLES O. PORTER, Democrat, of Oregon, is one of them. He said a veterinarian from his State was interested in an ICA job, but he was told at ICA the doctor wouldn't be considered unless he had Republican endorsements.

PORTER, a foreign aid advocate, said that ICA should be operated on a strictly nonpolitical and merit basis, as it needs all the support it can get in Congress to get approval of its program.

An ICA spokesman, however, commented that politics isn't a test in filling its jobs in either the foreign service or the civil service. "We try," he explained, "to get the best qualified applicants." But he added that applicants weren't discouraged from getting letters of recommendation from Members of Congress and other political sources.

NOTE.—When Harold Stassen was head of ICA, he brought in Betty Crites to clear ICA appointments with the Republican National Committee and other GOP political sources. Miss Crites resigned recently to enter private business. ICA officials say its personnel operation is being reorganized to put it more in line with that used by the Foreign Service.

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[From the Washington Post and Times Herald of March 17, 1958]

ICA TAKES STEPS TO END POLITICAL JOB CLEARANCE

(By Jerry Kluttz)

Decisive steps have been taken by Director James H. Smith to wipe out the remains of the political job clearance system that has plagued International Cooperation Administration since 1953.

Hereafter appointments are to be made from the best qualified applicants. The Foreign Service and civil-service laws under which most ICA appointments are made must be followed.

Key ICA officials have been told verbally that they are not to clear appointments with the Republican National Committee or any other political quarters.

E. Frederic Gillen, who handled some of the clearances, has been transferred to a new post to be liaison with Congress.

Harold Stassen set up the political job-clearance system when he was appointed ICA Director in 1953, and it has lingered on since that time.

Smith is reported to have told some Members of Congress that he was unaware of the clearance procedure. A study of ICA and the laws governing it apparently convinced him that the clearance system was a violation of the spirit if not the letter of the law.

Representative CHARLES O. PORTER, Democrat, of Oregon, is among those who criticized the clearance system and he's convinced that Smith is sincere in his efforts to abolish it.

Meantime, he's writing an amendment to provide penalties for those who violate the laws which are supposed to prohibit political considerations in making appointments to ICA.

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., February 7, 1958.*

Hon. JAMES H. SMITH, JR.,
*Director, International Cooperation Administration, Washington, D. C.*

DEAR MR. SMITH: I am interested in your agency's personnel problems, particularly as concerned with recruitment procedures and standards and also with shortages in particular categories.

I should be much obliged for any data you may have readily available on these matters, especially with reference to the number of people you employ in particular categories, the turnover, method of qualifying, inspection procedures and your own opinion about possible legislative changes which would be helpful in obtaining more and better people for the tremendous job assigned to you and your agency.

I note that you are Harvard '31. My class is '41. I hope to have the pleasure of meeting with you sometime and discussing matters of common interest.

With best wishes.

Sincerely,

CHARLES O. PORTER,
*Member of Congress.*

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INTERNATIONAL COOPERATION ADMINISTRATION,
OFFICE OF THE DIRECTOR,
*Washington, D. C., February 14, 1958.*

Hon. CHARLES O. PORTER,
*House of Representatives, Washington, D. C.*

DEAR MR. PORTER: Thank you for your very kind letter indicating an interest and a desire to help in our personnel problems.

We will be glad to furnish you with material on our problems as requested. I would like to have Mr. Arthur Stevens, director of personnel, arrange to see you so that you may be fully informed on the status of our personnel program. Mr. Stevens will call you when the materials are assembled.

I hope also to have the pleasure of meeting you soon.

Sincerely yours,

J. H. SMITH, JR.

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INTERNATIONAL COOPERATION ADMINISTRATION,
OFFICE OF THE DIRECTOR,
*Washington, D. C.*

Hon. CHARLES O. PORTER,
*House of Representatives, Washington, D. C.*

DEAR MR. PORTER: In accordance with a request received by telephone to Mr. Guilford Jameson, Deputy Director for Congressional Relations, later modified by a conversation with Mr. Arthur G. Stevens, Director of Personnel, there are attached five separate reports providing information on International Cooperation Administration personnel, both domestic and overseas, earning $12,000 per annum, or more.

It will be noted that we have provided the location, title, name, age, date of entry into the program, grade, and salary. Mr. Stevens will be delighted to answer any questions you may have concerning these reports.

Sincerely yours,

J. H. SMITH, JR.

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INTERNATIONAL COOPERATION ADMINISTRATION,
*Washington, D. C., February 28, 1958.*

Hon. CHARLES O. PORTER,
*House of Representatives, Washington, D. C.*

DEAR MR. PORTER: Further to Mr. Smith's letter of February 14, 1958, there are attached the materials you requested regarding ICA personnel practices and problems.

We very much appreciate this opportunity for discussing these matters with you.

Sincerely yours,

ARTHUR G. STEVENS,
*Director of Personnel.*

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EXHIBIT I

OVERSEAS STAFFING REQUIREMENTS OF THE MUTUAL SECURITY PROGRAM

On January 31, 1958, mission staffing patterns for fiscal year 1958 comprised a total of 4,580 positions. This represents the number of full-time regular United States national employees required in the missions to implement the program approved by Congress for fiscal year 1958. Some 112 of these positions are scheduled to be phased out during the balance of this fiscal year leaving a total of 4,418 continuing positions. This total includes positions filled or to be filled by personnel of other Federal agencies assigned to ICA, but excludes requirements for short-term consultants.

In terms of broad occupational fields, these continuing positions are distributed as follows:

| | |
|---|---|
| *Technical specialists* | |
| Agriculture | 789 |
| Education | 392 |
| Public health | 386 |
| Engineering (excluding sanitary) | 347 |
| Industry (excluding engineering) | 203 |
| Transportation (excluding engineering) | 190 |
| Public administration | 126 |
| Communications media | 92 |
| Public safety | 90 |
| Community development | 82 |
| Training | 73 |
| Housing | 33 |
| Labor | 33 |
| *Administrative-support staff* | |
| Administrative | 478 |
| Program, economic and statistical | 294 |
| Controller | 184 |
| Secretarial and clerical | 571 |
| Other [1] | 55 |
| All fields | 4,418 |

[1] Includes positions peculiar to needs of a few missions, but not falling meaningfully into any of the specified occupational fields.

As a broad generalization, staff in the technical-specialties fields function primarily as technical advisers to the cooperating country of projects developed jointly by that country and the United States. About three-fourths of the "secretarial and clerical" staff provide the assistance to these technicians essential to their maximum effectiveness.

The administrative support staff carries primary responsibility for overall program planning and direction and management of its implementation. Even though their role

is not expected to be primarily one of developing directly the technical competence of cooperating country counterparts, they make a significant contribution toward this objective indirectly through guidance and demonstration of approaches to problems and work techniques.

While meeting the requirements for "direct hire" staff is the recruitment and selection problem of most direct concern to the Office of Personnel, ICA, it by no means reflects the totality of the personnel management responsibilities of this Agency. For example, as indicated by Exhibit I–a, another 2100 United States nationals currently are employed overseas by contractors in carrying out ICA-financed projects. And in the missions in particular, recruitment, selection and oftentime job training of foreign national employees for positions which are essential to effective functioning of the American staff but can be manned satisfactorily by local employees, present a personnel-management problem of considerable magnitude and complexity.

EXHIBIT II

SEPARATIONS FROM THE ICA OVERSEAS SERVICE

While the actual number of separation actions completed vary widely from month to month, the average runs close to 2 percent of the on-board strength per month. Take, for example, the most recent 3 months:

| Month | Separations [1] | Percent |
|---|---|---|
| January 1958 | 67 | 1.9 |
| December 1957 | 84 | 2.4 |
| November 1957 | 45 | 1.3 |
| Average | 65 | 1.9 |

[1] Excludes short-term consultants and transfers to ICA/W.

This means that, at present, there is a turnover of nearly one-fourth of the total staff each year.

There are many reasons why the turnover rate is higher in the ICA overseas service than in stateside agencies. The temporary nature of the program is a major one. Another is the unique nature of the staffing requirements of the mutual security program, the preponderance of which are for mature technicians to serve as advisers in cooperating countries. Many of those qualified for such a role are willing to go out only for one or two tours of duty overseas. This reluctance to remain abroad for long periods is heightened in many instances by inadequacies in school facilities and otherwise unattractive living conditions in most of the newly developing countries in which the program operates.

A not inconsiderable part of the total separations over a period represents a selection out by the agency toward improving the overall level of performance and quality of United States representation abroad. Inability to render the high quality of service overseas expected of ICA mission staff is by no means always a reflection upon a person's basic competence. Many whose performance is outstanding in a stateside position find it difficult to adjust themselves—and their families—to living and working overseas. This is what makes the initial selection so important in a program such as this. And it is the reason why new employees are given limited appointments until they have demonstrated their ability to perform creditably overseas. It also is the reason why comprehensive comparative panel evaluations of performance and potential now are being made periodically to identify those who are marginal to the program (see exhibit III).

Over the next year, the level of separations probably will not go down much if any. To be sure, strong positive efforts are being made to retain in the service those who have demonstrated that they have the ability to make the kind of contribution needed. As indicated in exhibit III, this is a major objective of the new ICA overseas personnel system. In addition, specific effort is made to encourage individual employees who indicate their intention to leave at the end of their current assignment to remain—if retaining them is in the best interest of the program.

On the other side, however, results of the first series of evaluation panel reviews provide for the first time a systematic, informed basis for identifying those whose performance is at the low end of the scale for their specialty-grade group. Selection out consequently will certainly proceed more positively than in the past.

EXHIBIT III

SELECTION AND RETENTION OF QUALIFIED STAFF FOR MEETING MUTUAL SECURITY PROGRAM NEEDS

Obtaining and retaining a qualified overseas staff of the size and composition needed to meet fully and effectively the requirements of the Mutual Security Program have been chronic problems since the inception of this type of program nearly a decade ago. One major factor has been—and still is—this program's heritage as a temporary activity. In retrospect, this factor has proven a greater deterrent to attracting to the program qualified persons desirous of making a career in technical and economic assistance activities overseas than actual circumstances warranted. Recruitment and other personnel management policies and practices were geared to the short run. Staff was borrowed to a considerable extent, often literally and even more frequently implicitly, in the sense that they came with the Agency for a tour of duty expecting to return to their former jobs upon its completion. For the same reason, the Agency itself made comparatively little provision in its personnel programing for insuring continuity of service.

Over time, it became increasingly obvious that an approach to personnel programing and management oriented so specifically toward the short run was not in accord with realities, nor with the best use of manpower resources in meeting program needs. Building upon this earlier experience, a determined start was made, about 2 years ago, toward a fundamental redirection of the ICA overseas personnel system to gear it more effectively to the needs of a continuing program. Preparatory planning for this new system was in progress at the time that Mr. Louis J. Kroeger and his associates were conducting their study of "Personnel for the Mutual Security Program" for the Senate Foreign Relations Committee. Their constructive criticisms and suggestions during the course of this study were most helpful. Even more helpful, however, was the assurance which their objective appraisal of the problems of meeting the manpower needs of the Mutual Security Program gave that the new approaches being developed were basically sound and pointed in the right direction. Reports on other studies in this series also made significant contributions.

After testing the basic principles of the proposed new system through discussion, and implementation policies and procedures through operating experience, the system was formally put into effect by issuance of Policy Directive No. 7 of May 9, 1957, (exhibit IIIa). This policy directive, a copy of which is attached, set the basic policy guidelines for a positive approach to fully utilizing the flexibilities contained in the Foreign Service Act of 1946 in evolving an operating program geared specifically to the unique requirements of the Mutual Security Program.

For the overseas component, this means staffing positions in sixty-odd countries encompassing a wide diversity of economic, cultural and political situations. This staff must first of all provide the body of expertise which newly developing countries so sorely need to achieve progressive development and internal stability. More importantly, it must consist of people who can put their knowledge to work on the practical problems. And, above all, it must consist of people who can live and work in another country in a manner reflecting credit to the United States. Initial selection is only part of the answer. Retaining and making best use of those who have demonstrated their capability in the program is fully as important. To meet this unique complex of staffing needs, the ICA personnel system is built around five major principles: selection for quality in employing new staff; flexibility in placement to best meet program needs; competitive promotion based on merit; and "training" to keep technical competence current and vital and to develop the potential of promising staff members to assume progressively higher responsibilities.

With specific reference to obtaining more and better qualified new staff, the following employment practices deserve particular mention:

1. Qualification standards are developed for each type of position and grade as objective criteria against which to judge a candidate's qualifications. These include not only technical qualifications, but also those conducive to effectiveness overseas.

2. Selection panels review all applicants—taking consideration of the above qualification standards, reference materials, etc.—and, for those judged to be of the caliber needed, recommend the salary appropriate to their qualifications and potential value to the program. All new employees are given "limited" appointments until they have demonstrated their ability to perform satisfactorily overseas.

3. Assignment to an overseas position is effected through the Assignment Board machinery to insure proper matching of the candidate's qualifications and the duties he is to perform. This also provides the means for coordinating the placement of "new hires" with that of existing staff to achieve a balance between seasoned hands and those new to the program.

4. A recruitment complement has been established to make possible taking especially well qualified candidates at the time they are available. This also enables recruitment to be positive from the outset, hence should tend to reduce the time between application and entry on duty.

5. A ready reserve of candidates basically well qualified for employment in the ICA program overseas but for whom a suitable placement is not immediately available has been established and is being carefully managed as a reservoir from which to draw in filling new vacancies as they arise.

Maintaining the volume of inflow of qualified candidates to permit the desired degree of selectivity and meet quantitative requirements of the program always is a difficult problem. Features of the new personnel system which enhance the security of employment of qualified staff will help increasingly as they are better understood. By all available means, recruitment efforts of the Agency are being increasingly intensified, especially through drawing more systematically upon the total staff, both in Washington and overseas, as sources for prospective candidates. Ways also are being developed to avail the Agency of additional outside sources of assistance in locating qualified candidates. As an auxiliary approach, special attention currently is being given to opportunities for wider use of third country nationals where program requirements can be met satisfactorily in this manner.

Filling current vacancies in the fields of public health—doctors, nurse education advisers, sanitary engineers—and engineering

advisers—especially specialists in public works, highway construction, electrical engineering—pose particularly difficult recruitment problems. Only relatively less so are those for several other hard-to-get types of specialists who can function effectively in the role of adviser-demonstrator rather than as an operator. Chief among these are: agricultural engineers, including those qualified in irrigation engineering; specialists in the marketing and processing of particular kinds of agricultural products; persons who have had broad-gauge experience in industrial development; specialists in small industry operation and management, public administration advisers with specialized competence in customs, tax, budget, or accounting systems; statistical advisers; and applied economists to serve as mission program planning and development officers. Referrals of qualified candidates in any of these specialties, or any other for that matter, are more than welcome.

Improving the quality of persons selected is even more difficult than increasing the quantity. Selection panels certainly help. Still, they must work from a paper record which at best cannot reflect adequately those personal qualities all-important to successful performance overseas in this type of program: motivation, flexibility, ability of the man and his family to adjust easily and effectively to living and working overseas, and so forth. Active consideration is being given to a plan for using part-time consultants, whose judgment on such matters has been demonstrated, to interview candidates and their families in their homes prior to employment. While the number brought into the program so far who don't quite fit has been encouragingly small, screening them out in advance would mean a considerable saving both in funds and program effectiveness.

Several other features of the overseas personnel system are aimed specifically toward retaining, developing, and making best use of present staff who merit continuing in the program and weeding out those who do not.

1. Systematic advance planning of next assignments through the Assignment Board process mentioned earlier contributes both to more efficient utilization of staff and to their security of employment.

2. Introduction of staffing patterns (tables of organization) as the primary tool for advance planning of staff requirements to carry out approved country programs facilitates both recruitment and management of existing staff.

3. Establishment of a personal rank system (i. e. salary-grade is attached to the man and remains fixed until changed as a result of competitive evaluation) for officer level staff which enables much more flexibility in the use of staff in meeting the priority needs of dynamic world situations than does a job-classification system. This also contributes to the security of employment for those who are qualified for and desirous of continuing in the program longer run and who make themselves available for assignment to any post as program needs require.

4. Periodic comprehensive evaluations are made of each employee, by an evaluation panel, covering his entire professional career and aimed toward identifying relevant aspects of his performance and future potential, and how best to develop this potential. These provide not only an objective basis for deciding which employees warrant consideration for promotion and which should be eliminated from the program, but also for making assignments which will best utilize his capabilities.

Such comparative evaluations are the keystone of the merit promotion scheme now in operation. This also is the principal means used at present for identifying those employees who are marginal. It also is an effective means for improving the quality of supervision given in the missions and especially the quality of performance evaluations missions directors prepare for those under their charge.

5. Initiation of a staff development training program to keep technical competence alive and vital and to develop the capabilities of especially promising staff members to assume positions of higher responsibility provides a highly effective means for enhancing the quality of performance of the overseas staff. Increasing attention also is being given to systematic planning for and with the individual employee with respect to regular duty assignments which over a period of time will best develop his professional potential. Presence of these features in the personnel system also is a strong positive force in encouraging qualified staff to remain in the program.

6. Establishment of a field unassigned complement makes possible the retention in temporary duty status in Washington of an especially well qualified overseas staff member needed in the program but for whom a specific job assignment cannot be made immediately. This enables the agency to retain persons of demonstrated ability who have the added qualification of overseas experience. Most frequently the need to use this facility arises out of unexpected changes in specific program requirements or delays in obtaining necessary clearances from the cooperating government. In the past year, more than 100 persons have been held temporarily on this complement, many of whom otherwise would no doubt have taken other employment in preference to going on leave without pay. Mere availability of this facility unquestionably gives all employees a much greater feeling of security even if he does not himself expect ever to be placed on it.

There are several other features of this personnel system which contribute in various ways to a rounded approach to effective management of the personnel resource essential to efficient conduct of the mutual security program. Those outlined above are but the principal ones bearing most directly upon the recruitment, selection and retention of qualified staff. It is a fairly complex system because the problem is complex. Progress to date toward getting it fully established has been most encouraging. This is not to say, however, that there are not a great many operational problems not yet fully resolved. But, for most part, they are problems which can be dealt with within the present framework over a period of time.

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., March 6, 1958.*

Mr. JAMES H. SMITH, Jr.,
*Director, International Cooperation Administration, Washington, D. C.*

DEAR MR. SMITH: I understand that Rensis Likert of the Survey Research Center, University of Michigan, has been in touch with the ICA about his making a public opinion survey of the ICA program in several of the recipient countries. Because I think this is a very sound idea and there is no better organization available, I would like to know what has been preventing this contract from being made. If it is a question of legislation, regulation, or appropriation, or whatever it is, I'd like to be informed and to do whatever I can to see that such a survey is made as soon as possible in a number of countries. I think it could be of great importance in demonstrating to Congress the effectiveness of the program, on the one hand, and, on the other, the ICA is not afraid to make an assessment of its efforts for the purpose of improving its utilization of the taxpayers' dollar.

Your immediate attention to this matter will be much appreciated.

With best wishes.

Sincerely,

CHARLES O. PORTER,
*Member of Congress.*

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INTERNATIONAL COOPERATION ADMINISTRATION,
*Washington, D. C., March 11, 1958.*

Hon. CHARLES O. PORTER,
*House of Representatives, Washington, D. C.*

DEAR CONGRESSMAN PORTER: On behalf of Mr. Smith, I am pleased to acknowledge receipt of your letter of the 6th instant with reference to the interest of Mr. Rensis Likert of the Survey Research Center, University of Michigan, in making a public opinion survey of ICA programs in several of the recipient countries.

Please be assured that your communication is receiving our attention and we will write you in response thereto at the earliest practicable date.

With kindest regards, I remain,

Sincerely yours,

GUILFORD JAMESON,
*Deputy Director for Congressional Relations.*

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INTERNATIONAL COOPERATION ADMINISTRATION,
*Washington, D. C., March 27, 1958.*

Hon. CHARLES O. PORTER,
*House of Representatives, Washington, D. C.*

DEAR CONGRESSMAN PORTER: This is in further reply to your letter of March 6 about the interest of the Survey Research Center in surveys of ICA programs in cooperating countries.

We are well aware of the outstanding abilities of Dr. Likert's organization. As a matter of fact, we have a small existing contract with them to do a pilot study for us, applying their techniques to ICA's problems. It is our hope that, on the basis of this pilot study, we may be able to develop further activities of this sort in the future. We do feel that ICA's programing process could be benefited by limited application of suitably adapted techniques of "market research."

We have been deliberately moving slowly on this because the application of such techniques to overseas problems is a relatively unexplored area and we want to be sure of our ground before we proceed on any significant scale. ICA's very tight administrative and program support budget condition has also made it difficult for us to go ahead in new approaches like this.

Sincerely yours,

GUILFORD JAMESON,
*Deputy Director for Congressional Relations.*

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., March 3, 1958.*

Mr. JAMES H. SMITH, Jr.,
*Director, International Cooperation Administration, Washington, D. C.*

DEAR MR. SMITH: It was a pleasure to meet you the other night and I am looking forward to a longer discussion of the immense problems facing you as director of ICA and facing me as a Congressman. Mr. Stevens of your office conferred with me the other day and was most helpful in providing me with certain facts.

It seems to me that there may be certain legislation having to do with personnel matters and with allocation of funds which might be very helpful in making ICA more effective.

An important byproduct of hearings on such legislation might be publicity for the

many excellent techniques and achievements of ICA, things which in my opinion should be more widely known, particularly among my colleagues at this time.

When I have my material in a little better shape I should like to have a meeting with you as a preliminary to hearings before the Civil Service Investigating Committee, of which I am a member.

In the meantime I am asking that answers to the following questions be given to me as soon as you may conveniently arrange:

1. What is being done to select ICA representatives who have the necessary training and knowledge to deal effectively with local officials, business firms and the public in the countries where they operate?

2. Are there any other criteria, apart from technical competence, used in making selections?

3. What is being done, if anything, to set up a proven training program?

4. What supervision is provided to enforce and encourage proper and effective performance of duties?

5. What checks are being made of the effectiveness of the individual conduct and skills of ICA representatives and of the programs being developed, this latter in connection with the response and attitudes of native leaders and contacts and the improvements in the stability or prosperity of local economy?

6. What basic research, if any, is being developed into ways of improving the selection, training, supervision, personal conduct, and official programs?

7. Does ICA employ any management consultant, any phychologists, sociologists, or other special scientists who are concerned with training, inspection and evaluation at the mission level and above?

With best wishes to you.

Sincerely,

CHARLES O. PORTER,
*Member of Congress.*

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MARCH 6, 1958.

Mr. JAMES H. SMITH, Jr.,
*Director, International Cooperation Administration, Washington, D. C.*

DEAR MR. SMITH: You will recall our telephone conversation yesterday afternoon with regard to my information that ICA had done away with the so-called administrative clearances for positions paying in excess of $3,100. I told you that this had been announced at a staff meeting of recruiters yesterday morning by Howard Ross, Deputy Chief of Employment, and I indicated my concern that there be no reprisal of any sort against my informant.

In recent weeks I have discussed this matter of political clearances for ICA employees with a Civil Service Commission inspector for ICA and with your personnel director, Mr. Stevens. I also mentioned it to you personally a week ago when by chance we met at the Statler Hotel. I told you then of my intention to organize my material and have a conference with you to see whether hearings before a Civil Service Investigating Subcommittee, of which I am a member, could be constructively used to help ICA and to bring out information of value to the full Post Office and Civil Service Committee in determining whether legislative hearings along certain lines should be held.

As I told you at the Statler and on the telephone yesterday I want to help you in your job in making ICA effective. From what I have heard and seen of you I have every reason to believe that you are a man of ability and integrity. The kind of man very much needed in Government today and very much needed particularly as Director of ICA. At this time I see no good purpose to be gained by attempting to embarrass you and the Administration with regard to the violations of the law in connection with political clearances. You have promised that you would look into this situation and let me know what you discover. It has been my plain impression that you are against such clearances and that you will not tolerate their presence. On this basis I want to work with you, not against you.

I know how busy you are in connection with your responsibilities at your desk and up here on the Hill before the Foreign Affairs Committee but, however, I would like to see you Tuesday or Wednesday morning, March 11 or 12, and will appreciate having your secretary arrange with my secretary for a particular time. I'll be glad to come to your office.

With best wishes.

Sincerely,

CHARLES O. PORTER,
*Member of Congress.*

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INTERNATIONAL COOPERATION ADMINISTRATION,
OFFICE OF THE DIRECTOR,
*Washington, D. C., March 8, 1958.*

Hon. CHARLES O. PORTER,
*House of Representatives, Washington, D. C.*

DEAR MR. PORTER: Thank you for your letter of March 3. The questions you asked concerning personnel and allocation of funds are being given urgent attention and the answers will be transmitted at the earliest possible date.

Your interest in these matters is appreciated.

Sincerely yours,

J. H. SMITH, Jr.

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CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., March 13, 1958.*

Mr. JAMES H. SMITH, Jr.,
*Director, International Cooperation Administration, Washington, D. C.*

DEAR MR. SMITH: I enjoyed talking with you and was glad to hear that Mr. Gillen had been transferred to Congressional liaison and relieved from all duties in connection with administrative clearances. I was surprised that you hadn't checked directly with Howard Ross about the abolition of most administrative clearances; but in view of your present attitude in Mr. Gillen's transfer, I do not intend to press this point unless evidence comes to me that political considerations are again being given weight in connection with your recruitment program.

It seems to me that a busy administrator like yourself might appreciate having a sanction attached to legislation forbidding political, racial, and religious discrimination. I intend to draft such an amendment to the present law (title 22, U. S. C. 807).

I have asked Dean Cleveland of the Maxwell School of Political Affairs and Citizenship to send you a copy of his report on overseasmanship. We shall press for early consideration of the training-in-service bill now before our committee, and I look forward to hearing from you in the near future about the utilization by ICA of the Survey Research Center.

With best wishes.

Sincerely,

CHARLES O. PORTER,
*Member of Congress.*

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INTERNATIONAL COOPERATION ADMINISTRATION,
OFFICE OF THE DIRECTOR,
*Washington, D. C., March 25, 1958.*

Hon. CHARLES O. PORTER,
*House of Representatives, Washington, D. C.*

DEAR MR. PORTER: Thank you very much for your kind letter of March 3 and for the opportunity provided by your visit of March 12 for discussing our mutual problems in furthering the objectives of the Mutual Security Program. Your continuing interest in helping to improve the effectiveness of this program is most gratifying and reassuring.

We feel quite confident that the objectives of the new overseas personnel system are fundamentally sound and that real progress is being made toward achieving them. Whether now is the best time to present this personnel program as a basis for legislation, however, is conjectural. I personally feel there is considerable mutual advantage in deferring hearings before your committee until the operational procedures are more fully tested by experience and certain aspects are more fully developed. However, if it is decided to hold hearings, you may be assured of our fullest cooperation.

With respect to the specific questions raised in your letter of March 3, I think you will find it helpful to consider the information provided in relation to the statement entitled "Selection and Retention of Qualified Staff for Meeting Mutual Security Program Needs" accompanying Mr. Stevens' letter of February 28 as Exhibit III. That statement places the several elements in a better context with the overall ICA personnel program than will be possible here without excessive repetition. Against that background, the attached statement endeavors to summarize what we are doing or are planning to do, as the case may be, with respect to the particular problems referred to in your letter.

Sincerely yours,

J. H. SMITH, Jr.

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REPLY TO SPECIFIED QUESTIONS ON ICA PERSONNEL PRACTICES POSED IN CONGRESSMAN CHARLES O. PORTER'S LETTER OF MARCH 3, 1958, TO THE DIRECTOR OF THE INTERNATIONAL COOPERATION ADMINISTRATION

1. What is being done to select ICA representatives who have the necessary training and knowledge to deal effectively with local officials, business firms and the public in the countries where they operate?

Judging the ability of a man—and his family—to live and work effectively in a foreign environment is exceedingly difficult under the best conditions. There is literally no way of knowing, except by experience, how a person will react and perform under conditions totally new to him. Experience has demonstrated that certain personal characteristics are conducive to adjustment to a foreign situation and the role which an employee and his family have in the ICA program overseas. An orientation toward service abroad reflected in and developed by academic training in international affairs is especially helpful. Since ICA staffing requirements are predominantly for technical specialists, however, few are to be found whose training has included this international orientation. Incidentally, a number of recent developments in the academic world have marked significance in this respect. I am thinking particularly about the growing emphasis in college and university curriculums upon area studies, international center programs, etc., aimed toward developing interest in and preparing graduates for overseas service. While this Agency cannot give financial support to preservice training efforts, we take advantage of every opportunity to encourage their furtherance by foundations and other institutional facilities which can.

Prior overseas work experience of proven quality is, of course, the best of all possible guides in selecting staff. We use all available means of locating such persons, who also have the technical qualifications required, and interesting them in employment. As a matter of fact, in making selections, we invariably give preference—all other things being equal—to a person who

has had previous successful experience overseas even though his technical qualifications may not appear quite as good as one who lacks this experience. Unfortunately, the number of such candidates is quite small. And, this is a major reason why we make every reasonable effort to retain in the service present employees who have demonstrated their ability to perform creditably overseas. As a generalization, retaining a qualified experienced employee is equivalent to roughly 6 months of a new employee's first tour.

2. Are there any other criteria, apart from technical competence, used in making selections?

As implied above, many criteria in addition to technical competence are used in making selections. Personal qualifications are, if anything, even more important to success in the demanding job of an ICA overseas employee than is technical competence in terms of the requirements of stateside employment. For example, we know from experience that evidences of inflexibility, emotional instability, an attitude that foreigners are inferior, domestic strife, a dominating personality, alcoholism, et al, are danger signals. The difficulty in weeding out the small percentage who are hired but really don't belong in the program is not basically one of not knowing what to look for. Rather it is one of identifying these adverse characteristics prior to employment.

Even the best of mailed reference checks will not adequately reflect either the negative or positive personal qualities which are most relevant. It is for this reason that steps are being taken to supplement present screening methods by an oral interview with the prospective employee and his family prior to employment. We are convinced that the saving, even if put only in terms of cost of returning even the few who don't quite fit, will more than offset the cost of obtaining these interviews by fully qualified persons in whose judgment in such matters the Agency can place high confidence.

3. What is being done, if anything, to set up a proven training program?

A systematic approach to staff development training geared to the specialized needs of this Agency is an integral part of the new overseas personnel system. ICA Policy Directive No. 7, of May 9, 1957, a copy of which was included in the material accompanying Mr. Stevens' letter to you of February 28, stated in part that "within budgetary limitations, training programs for all employees, both domestic and overseas, will be developed to best meet the needs of the Agency and to maintain at peak efficiency the specialized skills required for successful program performance." Request for authority and a modest amount of funds to initiate a staff training program for ICA overseas personnel were made of and provided by the 85th Congress. The funds presently available for fiscal year 1958 do not permit expanding the predeparture orientation program to include wives of all staff members going overseas and personnel employed by contractors for service on ICA projects abroad or a stepped up program of language training. The same is true of those requested for fiscal year 1959.

With respect to classified service staff in Washington, ICA has that training authority common to most agencies of the Government. Budget requests for fiscal year 1959 do not contemplate any special training of classified service personnel.

Within the above framework considerable progress has been made in implementing a staff development training program for overseas personnel. Operational policies have been rather fully developed, and procedures are tested by experience. Through March 4, 1958, 34 in-service training assignments have been made; preparations are well advanced for a special course of training in ICA programing functions—a technical field, incidentally, which is unique to this Agency; experience with the first group of overseas interns now three-quarters through their work-training experience in missions, has abundantly demonstrated that intern training has a place in developing especially qualified younger staff for overseas service in the mutual security program; and the ground work has been laid for moving into other areas of priority need as resources become available. The training program has deliberately been held to a fairly narrow scope during the early development stage to insure a sound foundation being laid for best use of this important facility for improving the effectiveness of the overseas staff. As priority training needs are better defined through analysis of evaluation-panel results and more systematic attention by supervisors at all levels to developing the professional growth potential of promising employees, we expect staff development training to take an increasingly important place in the ICA personnel management program. An essential prerequisite, however, is a substantial increase in the inflow of well-qualified applicants. Neither "selection out" of the less well-qualified staff nor providing training where it would be a good investment for the Agency can proceed to best advantage until the pressure of current program requirements upon available staff can be eased considerably.

The staff training program being developed cannot at this stage be said to be a proven one in the sense that its contribution to increased performance has been tested. This test can only come after those given training are back in active duty and their performance evaluated. Built into the training program are arrangements for interim and completion evaluations of the effectiveness of each training program in achieving the specific objectives sought. Also for follow-up evaluation, by the employee and his mission, at appropriate intervals after completion of a training assignment toward identifying the contribution of training to enhancing his capabilities for higher service to the program. Most important of all, however, are the steps taken prior to approving a training assignment to insure that it will meet a real need which cannot be met more economically in some other way.

4. What supervision is provided to enforce and encourage proper and effective performance of duties?

Like all other organizations, ICA looks primarily to normal supervisory channels in the missions to enforce and encourage, at their respective levels of responsibility, proper and effective performance of duties. This Agency has no formal system for external field inspection of personnel qualifications and performance. We do, however, make fullest practicable use of the following principal means for supplementing the day-to-day supervision provided in the missions:

(a) Annual performance evaluations on each staff member and "completion of assignment" reports. These provide the mission director and his supervisory staff, as well as the Washington office, a systematic means for identifying strengths and weaknesses in individual performance and encouraging specific improvements where weaknesses appear. This obviously includes effectiveness in performance of supervisory duties as well as those of a technical or professional nature.

(b) Periodic comparative evaluations, by evaluation panels, of all overseas staff, by occupational field and grade categories, as discussed on page 4 of exhibit III of Mr. Stevens' letter of February 28.

(c) Consideration, by the Assignment Board, prior to recommending assignments of the individual employee's strengths and weaknesses to give fullest practicable effect to best use of the former and strengthening the latter by placement upon appropriate supervision.

(d) Consultation in Washington with each returning professional employee, including discussion of his own performance and how to improve it, that of employees under his supervision, and, as appropriate, the effectiveness of supervision given him in the mission.

(e) Evaluation teams, comprising selected senior ICA and State Department staff, invariably deal extensively with personnel and its management in their comprehensive evaluations of total country programs. Their findings and recommendations are followed up systematically with corrective action as needed. Particularly effective practices observed in one country are made known to other missions to assist them in improving their own personnel management practices.

(f) Specific problems coming to the attention of the Washington office are dealt with promptly and regulations and operating procedures are kept under continuing review toward effecting changes to make for greater efficiency.

(g) Field trips by Washington staff, as circumstances warrant and resources permit, have as their secondary purpose, at least, first-hand observation and discussion of staff performance and means for improving it.

5. What checks are being made of the effectiveness of the individual conduct and skills of ICA representatives and of the programs being developed, this latter in connection with the response and attitudes of "native" leaders and contacts and the improvements in the stability or prosperity of local economy?

Effectiveness in dealing with nationals of the cooperating country to which he is assigned is an integral—and essential—aspect of an ICA overseas employee's performance of his duties. Therefore, in each of the processes discussed in the preceding section, fullest possible consideration is taken of how the employee—and his family as well—conduct themselves in their working and social relations with the nationals of the country, their attitudes toward these people and their culture, their hopes, aspirations, and needs. In short: how effectively they adapt themselves to living and working in a foreign situation. The evaluation teams focus specifically upon the consistency of United States program objectives and methods in a given country and the felt needs of the people of that country as reflected by their leaders.

All this is by way of saying that the Agency and its representatives overseas are conscious of the need for developing and maintaining, as individuals and a mission-group alike, a truly cooperative relationship and program with the host country. We know full well, however, that reality falls short of the ideal in many instances. Appraisal of social conduct, attitudes and interpersonal relations is even more difficult than that of technical proficiency. Fully as difficult of effective evaluation, especially by staff living and working in a given country, are the attitudes of the people of that country—and even their leaders—to them as individuals, as Americans or even to the program they are helping to plan and conduct. Studies conducted by outsiders skilled in techniques of social research frequently gain insights into such problems that would escape the layman. The results of research of this type are exceedingly valuable in pointing up ways in which the effectiveness of our program and methods can be improved. Whether this Agency could expect to get similarly useful results from studies conducted under its own auspices or should undertake them even if resources were available, however, seems open to some question.

6. What basic research, if any, is being developed into ways of improving the selection, training, supervision, personal conduct and official programs?

The best answer to this is: far less than is needed. Merely manning the minimal functions essential to operating a personnel system servicing programs in 60-odd countries severely taxes available resources. First priority must be given to the recruitment, selection, and effective placement of sufficient staff to meet program requirements. Research into ways for more efficient management of the personnel resource, including selections, training, evaluation of performance, and the many other components of a viable dynamic personnel management program, perforce has had to be fitted in around immediate operational requirements.

Despite the foregoing obstacles, considerable operational and planning research has been done, especially in the past 2 years. The components of the new overseas personnel system outlined in materials provided earlier are firmly based on systematically marshaled experience. Evaluation panel analyses and the staff work preliminary to them mark a significant forward step. True, they produce primarily basic data which until more fully analyzed can serve only as general guides to the direction action should take. Having these basic data, however, opens the way to highly significant research into means for improving selection of new personnel, the quality of existing staff, assignments to make best use of individual capabilities and develop them, identification of training needs, etc.

While their primary purpose is not that of conducting research, the assignment board and selection panels contribute a certain amount of informal research. Forward planning of assignments against staffing patterns under a personal rank system gives reason for more systematic analysis of staffing requirements and use of personnel resources than was previously the case. And, the installation of an electrical accounting system to service the statistical needs of personnel programing has greatly enhanced the analysis of personnel requirements and means for meeting them most effectively.

So, in summary, considerable progress has been made toward mobilizing experience and drawing systematically upon it for improving the effectiveness of personnel management. Much, however, remains to be done.

7. Does ICA employ any management consultant, any psychologists, sociologists, or other social scientists who are concerned with training, inspection, and evaluation at the mission level and above?

As indicated earlier, this agency does not have an inspection system. Therefore, no staff is employed specifically for this purpose.

Evaluation, broadly defined is, of course, an integral part of every employee's responsibility. Unless he evaluates, critically and continuously, his own performance and that of staff under his supervision, a person simply isn't doing his job well. The question, however, appears to refer to what might be called external evaluation. The only staff employed specifically for this purpose are those who serve on evaluation teams and the internal audit staff respectively. Some of these have had academic training and/or work experience in the fields mentioned. The primary criterion for their selection, however, is broad knowledge of and experience in ICA program policies and administration.

No management consultants are employed by ICA except as advisers to cooperating governments under specific projects.

ICA has no staff in the Missions engaged specifically in staff training. The executive office staff carries on some staff training activities as a part of their regular personnel management functions. Systematic training, however, is largely confined to job training of local nationals employed in the missions.

In Washington, only the staff of the Career Development Division are engaged primarily in staff training and related career development activities. Of these 11 persons, 4 professional and 2 clerical employees are fully engaged in conducting the predeparture orientation program, planning consultation schedules for and with returning overseas employees to enable the agency to make best use of their time in Washington, and guiding and assisting missions in developing more effective orientation programs at the post. The other 5 staff members—3 professional, including the division chief, and 2 clerical—are engaged primarily in planning, developing, and directing the implementation of the staff training program outlined earlier, the career development program which is emerging, and language training.

The chief of this division is a broadly trained social scientist. The other professional members of this staff, as well as others in the office of personnel, have academic backgrounds in the fields mentioned.

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INTERNATIONAL COOPERATION ADMINISTRATION,
*Washington, D. C., April 17, 1958.*

Hon. CHARLES O. PORTER,
*House of Representatives,*
*Washington, D. C.*

DEAR MR. PORTER: I have thought a great deal about the three main points raised in your letter of March 13. With respect to administrative clearance, I share your view that staff selected for assignment in the ICA program overseas should be the best qualified candidates available without particular regard for religion, race or political affiliation. And, I believe the employment practices being followed achieve this objective.

Whether or not additional legislation should be enacted to further safeguard against discrimination is, of course, for the Congress to decide. I shall continue, to the best of my ability, to administer a personnel system which is fair to all concerned.

A number of my staff had the opportunity of meeting with Dean Cleveland in early March. He and the group associated with him in the Maxwell School project on Education and Training of Americans for Public Service Abroad have developed a number of very interesting insights into factors affecting success of Americans overseas. I appreciate your asking Dean Cleveland to send me a copy of their book on Overseasmanship. Ability to work and live effectively under the oftentimes difficult conditions characteristic of newly developing countries certainly is a qualification to be sought for and developed in ICA overseas staff.

At some stage, it may prove advantageous for this Agency to use facilities, such as the Survey Research Center at Michigan University, to conduct broader-scale research into ways for improving the effectiveness of overseas personnel and programs. This is not contemplated at present. As indicated in my letter of March 25, a great deal of very fruitful research can be and needs to be done using the data already available from evaluation panel results and other internal sources. This deserves first priority on the limited resources available. Meantime, the Syracuse University study and others in this general field are developing and testing techniques. They also are providing valuable insights into the areas where expanded research would be most productive. We are keeping abreast of these developments and will be guided by the results as the studies progress.

Again may I express my appreciation for your continued interest in helping to improve the effectiveness of the mutual security program. It is most encouraging and reassuring.

Sincerely yours,

J. H. SMITH, Jr.

## SUBCOMMITTEE ON LEGISLATIVE OVERSIGHT

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS], is recognized for 60 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, before taking the floor I notified the gentleman from Arkansas [Mr. HARRIS], chairman of the Interstate and Foreign Commerce Committee that I would take the floor, and I am happy to see that he is here.

Mr. Speaker, I am very disturbed about the manner in which one of our House subcommittees has been conducting itself in the past few days. I refer to the subcommittee of the Interstate and Foreign Commerce Committee on Legislative Oversight. This subcommittee grew out of special powers granted to the Interstate and Foreign Commerce Committee through House Resolution 99, paragraph 13, February 5, 1957, to make investigations and studies into "the administration and enforcement by department and agencies of the Government of provisions of law relating to subjects which are within the jurisdiction of such committee."

This subcommittee has already had a rocky road to travel since its original chairman, Congressman MOULDER, of Missouri, stated on taking over on August 2, 1957, that the subcommittee would make "a careful study and recommendations on the need and method of action by Congress to control the functions of the agencies it created." At this time he stated the investigation would be an objective one, not a "political voyage." Its chief counsel, Dr. Bernard Schwartz, and its chairman have since resigned under circumstances which might well have called for this House to take oversight of its subcommittee on oversight.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I will yield, but I think it might be well if I gave my speech and then yielded to the gentleman for any answer.

Mr. HARRIS. If the gentleman will permit, I might say from my own viewpoint I thought that sooner or later something was going to come up on the floor of the House regarding this; and, as far as I am concerned as chairman of the committee and with authoritative members of the committee, we are prepared to answer any question on anything the gentleman or any other Member of this House might bring up with reference to the conduct of this committee.

The gentleman has just said that the former general counsel resigned.

Mr. CURTIS of Missouri. Yes.

Mr. HARRIS. The gentleman is aware of the fact of what brought about the termination of his employment.

Mr. CURTIS of Missouri. I may say to the gentleman that the only thing of which I am aware is what I have read in the newspapers; and, as far as I am concerned, that is not evidence of anything. I have not yet read any report from this committee to the House; and, incidentally, I think this committee might well make such a report as to just what were

the circumstances behind the resignation of its chief counsel and the resignation of its chairman. I do not regard newspaper stories as a report to the House.

Mr. HARRIS. The gentleman is well aware of the fact that this committee did make a report to this Congress, and it was an objective report.

Mr. CURTIS of Missouri. No; I am not aware of that.

Mr. HARRIS. It did; it made a report to this Congress just before the Easter recess. In that report this committee not only made a report of its activities, but also we made certain recommendations to this Congress and introduced a bill to carry them out.

If I may be permitted to continue, the gentleman is fully aware of the facts and conditions that have been reported and discussed around Washington here, on the Hill, and throughout the country which brought about, as the gentleman knows, the termination of the services by the committee of its former general counsel.

Mr. CURTIS of Missouri. May I ask the gentleman if the report contained the reasons for the resignation of the counsel?

Mr. HARRIS. I again repeat——

Mr. CURTIS of Missouri. I am asking just a simple question.

Mr. HARRIS. And I am answering the simple question.

The former general counsel did not resign; this committee terminated his services.

Mr. CURTIS of Missouri. Well, he was fired.

Mr. HARRIS. Yes.

Mr. CURTIS of Missouri. Was there in the committee report to the House anything as to the circumstances behind his termination?

Mr. HARRIS. The committee report did not go into a full explanation of the details of that situation. But we have a complete record of it.

Mr. CURTIS of Missouri. Then my statement still stands which I just made, that the resignation, or, rather, the firing, if that is what it was of the chief counsel, and the resignation of the chairman, as I understand, might well have called for this House to have oversight of its Subcommittee on Oversight.

Now, rule XI, paragraph 25 (m) of the House of Representatives, adopted March 23, 1955, reads as follows:

> If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall—
>
> (m) (1) Receive such evidence or testimony in executive session; * * *
>
> (o) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

On Tuesday, June 10, 1958, the Subcommittee on Legislative Oversight met at 10:15 a. m. in the caucus room of the Old House Office Building to hear certain witnesses. The first witness, through her attorney, called the subcommittee's attention to rule XI, paragraph 25 (m) and requested permission to testify in executive session. After some discussion this permission was granted and the subcommittee adjourned to 1:30 p. m. in the afternoon in executive session. After hearing what the witness had to say, the subcommittee decided that it was not a matter that would tend to defame, degrade, or incriminate any person and went back into public session and authorized the reporting of the proceedings of the executive session. This seemed very proper, in fact up to this point the proceedings of the subcommittee were exemplary in the concern shown for the spirit of the rule XI, paragraph 25 (m) of the House.

However, all of this concern for the spirit of the rules of the House became a hollow mockery in light of what immediately followed in the public hearings.

The counsel to the subcommittee, Mr. Robert W. Lishman, proceeded to call to the witness stand Mr. Francis X. McLaughlin, the subcommittee attorney. Mr. McLaughlin, with the help of Joseph T. Conlon, assistant counsel to the subcommittee, then proceeded to outline the history of the East Boston Co. in its dealings with the Securities and Exchange Commission, the Boston Stock Exchange, and the Federal district court in Boston, Mass. After this presumably factual account which on its face did not reveal even by innuendo preferred treatment on the part of the SEC existed, Mr. Lishman asked the following question at page 1416 of the report of the hearings of the Subcommittee on Legislative Oversight:

> Mr. McLaughlin, are you aware of allegations made to the subcommittee respecting the influence of Mr. Bernard Goldfine in being able to obtain preferred treatment by the SEC and the Federal Trade Commission?
>
> Mr. McLAUGHLIN. Yes, sir.
>
> Mr. LISHMAN. What did these allegations consist of?
>
> Mr. McLAUGHLIN. With reference to the Securities and Exchange Commission in the matters pending before it and in which Mr. Goldfine had an interest, it was alleged that Mr. Goldfine was able to obtain this treatment only because of his close friendship with Sherman Adams, assistant to the President of the United States.
>
> Mr. LISHMAN. And with respect to the Federal Trade Commission, are you familiar with what those allegations consisted of?
>
> Mr. McLAUGHLIN. Yes, sir.
>
> Mr. LISHMAN. Will you please state them?
>
> Mr. McLAUGHLIN. That he was able to obtain the treatment that he did at the Federal Trade Commission also because of his friendship with Sherman Adams, the assistant to the President of the United States.
>
> Mr. LISHMAN. Now Mr. McLaughlin, did you undertake to verify whether those allegations had any substance?
>
> Mr. McLAUGHLIN. Yes, sir; I did.
>
> Mr. LISHMAN. Will you describe some of the steps that you took to verify the accuracy of these allegations?
>
> Mr. McLAUGHLIN. Yes, sir.

Mr. McLaughlin then proceeded not to testify to any verification of the basic allegation to which he had been permitted to testify contrary to all rules of evidence against hearsay. He made no reference at all to the charge that the Securities and Exchange Commission or the Federal Trade Commission—about which little or nothing had been said—had granted any preferential treatment to Mr. Goldfine, or second, that anyone had interposed in any way to bring about the preferential treatment. Rather his testimony went to establish that Sherman Adams, the assistant to the President of the United States, about whom there was no evidence or even offer of proof of improper intervention had accepted hospitality on a rather large scale from Mr. Goldfine.

Mr. HARRIS. Mr. Speaker, I must object to the language just used.

Mr. CURTIS of Missouri. Mr. Speaker, wait a minute. Is the gentleman asking me to yield?

Mr. HARRIS. I am not asking the gentleman to yield.

Mr. CURTIS of Missouri. Mr. Speaker, I have the floor.

The SPEAKER. The gentleman from Missouri has the floor.

Mr. HARRIS. Mr. Speaker, I demand that the gentleman's words be deleted from the RECORD.

The SPEAKER. The Clerk will report the words objected to.

The Clerk read as follows:

* * * * *

The SPEAKER. The Chair thinks it is very clear that this is a reflection on a committee of the House of a very serious type and, therefore, holds that the language is not parliamentary.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the language objected to be expunged from the RECORD and that the gentleman from Missouri be permitted to proceed in order.

Mr. CURTIS of Missouri. Mr. Speaker, I would like to be heard.

The SPEAKER. The Chair has already ruled. It is as clear to the Chair as anything in the world.

Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CURTIS of Missouri. Now, I do not know whether the subcommittee will be able to establish that the Securities and Exchange Commission or the Federal Trade Commission gave preferential treatment to Mr. Goldfine.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. Yes.

Mr. HARRIS. Since he is going on with the discussion—he has just left the comments with reference to the action of the committee just referred to—and to the consideration given when Miss Paperman was before the committee to which the gentleman referred. Now, if the gentleman will permit me to explain the purpose of developing the hearing and the testimony that the gentleman referred to, I think he would have a greater understanding of what happened, and if the gentleman will permit me to do it at this point, since it was just referred to by him——

Mr. CURTIS of Missouri. I was just wondering whether it would not be better to go through this record, and then the gentleman could refer to that and some other matters.

Mr. HARRIS. Very well.

Mr. CURTIS of Missouri. That is why I took the extra time, so the gentleman would have an opportunity to explain this and other matters.

I do not know whether the subcommittee will be able to establish that the Securities and Exchange Commission or the Federal Trade Commission gave preferential treatment to Mr. Goldfine. I might state here that under the ruling of the Chair, Mr. Speaker, I shall modify my language; although I must state that the only purpose of bringing this out is to refer to specific language and specific actions, and I suppose if I cannot draw my own conclusions for the benefit of the House I will not be able to state exactly what those conclusions are.

The SPEAKER. It is the duty of the Chair to protect the membership of the House and to see that the proceedings of the House are conducted under the Rules of the House.

Mr. CURTIS of Missouri. I appreciate that, Mr, Speaker; and I have no desire to violate the Rules of the House. In fact, my own judgment is, with all due respect to the Chair, that there is no way of bringing these matters out unless the conclusions to be drawn from what has occurred are stated. The point that I am making here is that the subcommittee does not establish this and whatever the intent of the committee has been, there has been the defamation of a public official.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. HARRIS. That is precisely the reason why I asked the gentleman to yield to me so that I could explain what happened and then the gentleman would have a better understanding of the action of the committee.

Mr. CURTIS of Missouri. I appreciate that; but I wanted to have the whole statement in the RECORD and then the gentleman may properly explain what he has in mind.

I do not know whether the subcommittee, if it does establish preferential treatment of Mr. Goldfine, will be able to establish that it was the result of any action on the part of any public official. But I know that if it does not, whatever the subcommittee's intention, it will have brought about the gross defamation of a public official.

I know on the face of the cursory statement that was adduced in the subcommittee hearings on the SEC case, it appears that there was no lack of diligence on the part of the SEC in trying to bring the case against Goldfine's company to trial, but if any delay exists, it was caused by the actions of the Federal judge in Boston, Mass.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman.

Mr. WILLIAMS of Mississippi. I should like to straighten the gentleman out on that point. The Securities and Exchange Commission testified before the committee this afternoon.

Mr. CURTIS of Missouri. Of course, this statement was prepared without knowledge of that.

Mr. WILLIAMS of Mississippi. I wanted to straighten the gentleman out, so he will have his facts correct. This East Boston company which was owned by Mr. Goldfine did not file form 10–K reports with the Securities and Exchange Commission from the years 1948 through, I believe, 1954, a 5-year period, as the law required.

Mr. CURTIS of Missouri. That is why they were brought into court.

Mr. WILLIAMS of Mississippi. The Securities and Exchange Commission admitted that the only action that it took during this period of 5 years to obtain compliance with the law was simply to write letters; and it was after 5 years that the Securities and Exchange Commission decided finally to take some kind of action.

Mr. CURTIS of Missouri. May I say this to the gentleman——

Mr. WILLIAMS of Mississippi. Permit me to go just a little further. The Securities and Exchange Commission was unable to show one other single instance where a company had received that type of treatment for a period of 5 years.

Mr. CURTIS of Missouri. I am very happy that the subcommittee is now going into the area that I think they should have been in before they began in this other area.

Mr. HARRIS. Mr. Speaker, will the gentleman yield so that I may ask a question?

Mr. CURTIS of Missouri. Not at this point, not until I finish what I was just about to say, Mr. Speaker, to the gentleman from Mississippi, and then I shall yield for a question or a statement.

I am glad the subcommittee is going into this area because in my judgment that is exactly the kind of thing that should have been investigated first. I might also say this in reference to the hearsay type of information that was put in the public record against a public official in this matter. Obviously, in the East Boston case, the 5 years to which the gentleman from Mississippi now refers was during a time—at least a good bit of that time—when Sherman Adams was not the assistant to the President of the United States.

In fact, I think we are referring to prosecutions that were started against the Goldfine company, the East Boston company, in Federal Court by the SEC back in 1954 and 1955. It is true you go back to 1948, I think it was, when they failed to file their return.

Now I yield for a question.

Mr. HARRIS. Will the gentleman permit me, in view of the fact he continues to use the statement that that is what the committee should have done at first and leaves an implication there that is not an actual fact so far as the record is concerned, to explain why it was necessary to do that? It might shed some light for the gentleman.

Mr. CURTIS of Missouri. Let me go ahead.

Mr. HARRIS. The gentlemen wants to proceed leaving an implication without knowing what the facts are.

Mr. CURTIS of Missouri. No, I am not going to leave it that way. I am going to come back. I think it would be better procedure, if I can be the judge of this, to proceed and then yield to the gentleman for an opportunity to discuss this statement and other things.

Mr. HARRIS. I know the gentleman wants to be eminently fair.

Mr. CURTIS of Missouri. I am trying to, and also to put my statement in so the gentleman will know what I am charging him with.

Mr. HARRIS. The gentleman by his statement is inferring what the committee has done, when if he would let me explain he would understand what it was and I think he would not be making these inferences.

Mr. CURTIS of Missouri. The gentleman will have full opportunity to explain that and several other points.

I want to take these in order.

If either of these two basic allegations fall for want of proof I repeat them, that preferential treatment was given by SEC or FTC or any other Federal agency to Mr. Goldfine and that a public official brought about this preferential treatment, then it does not make any difference what the personal relationship between Governor Adams and Mr. Goldfine was. That relationship would then be one only of a private nature.

Now this has nothing to do with the question of good judgment on the part of a public official. In these times of scandalmongering—and I state we always have scandalmongering—I believe it is very important that persons in public life have a regard not only for the substance of things, but for appearances. Favoritism exists to a large degree on appearances and for this reason I believe it is important for all of us to wear our honor somewhat on our sleeves. It can be overdone. I dislike a prude or holier-than-thou fellow just as much as anyone.

However, the issue I took the floor to discuss was the actions of this House subcommittee, which seems to me to be inexcusable.

This subcommittee was not—and I use the word "was" although I had it written "is," because if the subcommittee now is going into the question of what actually was done by way of alleged favoritism or not, then we are getting into the real issue in the case. This subcommittee is not following out the mandate of the Congress. Congress directed the parent committee of this subcommittee to make investigations and studies into the administration and enforcement by departments and agencies of the Government of provisions of law relating to subjects which are within the jurisdiction of such committee. The jurisdiction of this committee is not Sherman Adams, the assistant to the President, but rather the SEC, the FTC, FCC, and other governmental departments and agencies. The question the Congress asked this committee to look into was whether these agencies are being administered according to law without favoritism or special consideration being given to a citizen or a group of citizens. Now as a Member of Congress, I would like to know at this stage, after all of this publicity on a collateral point, what evidence the subcommittee has adduced or plans to adduce to show that favoritism was granted by the SEC, FTC, or any other Federal agency to Mr. Goldfine or anyone else. At the time of

writing this, there had been no evidence of favoritism shown Mr. Goldfine. Indeed the subcommittee apparently had not even bothered to go into the question of how the SEC routinely handles cases like the East Boston Co. case or how the FTC routinely handles cases involving mislabeling under the Wool Labeling Act. To establish favoritism it is necessary to point out a deviation from the normal procedures for handling a case which is not justified by the peculiarities of the case itself. What is the norm and what are the deviations from the norm is the information the Congress asked this subcommittee to find out. It may be that the normal procedure is faulty and if it is faulty the error could be in the basic legislation itself or in the administration of it. To move ahead with this investigation the Congress needs to know what the normal administrative procedures have been.

If this committee does not intend to do its job, but rather intends to continue this campaign on these collateral issues which I have alleged, in my judgment, amount to defamation, I think it should be called sharply to task first by the full Committee on Interstate and Foreign Commerce, and if the full committee fails in this responsibility then the House should take action. It is exactly this kind of procedure that brings the Congress into disrepute throughout the country. Not only is this subcommittee, in my judgment, not doing the job that needs to be done, it has brought the institution again, in my judgment, into disrepute by disregarding the rules of the House and permitting a committee of the House to be used as a forum in this fashion.

Mr. HARRIS. Mr. Speaker, I must object again and ask that those words be deleted.

Mr. CURTIS of Missouri. I would like to ask the gentleman before he does, just what language is he objecting to?

Mr. HARRIS. To the charge that this committee is violating the rules of the House.

Mr. CURTIS of Missouri. Well, I certainly do charge that and I think it is proper to charge such a thing if I have presented the evidence. How else are we going to present the case to the House?

The SPEAKER. There is a long line of decisions holding that attention cannot be called on the floor of the House to proceedings in committees without action by the committee. The Chair has just been reading a decision by Mr. Speaker Gillett and the decision is very positive on that point.

Mr. CURTIS of Missouri. Mr. Speaker, in addressing myself to that, may I say I am unaware of such a rule and I would argue, if I may, in all propriety, that that rule, if it does exist, should be changed because how else will the House ever go into the functioning and actions of its committees?

The SPEAKER. That is not a question for the Chair to determine. That is a question for the House to change the rule.

Mr. CURTIS of Missouri. Mr. Speaker, is it a rule or is it a ruling? If it is a ruling of the Chair, then it is appropriate for the Chair to consider it.

The SPEAKER. The precedents of the House are what the Chair goes by in most instances. There are many precedents and this Chair finds that the precedents of the House usually make mighty good sense.

Mr. CURTIS of Missouri. But the Chair can change a precedent. That is why I am trying to present this matter.

The SPEAKER. If the Chair did not believe in the precedents of the House, then the Chair might be ready to do that, but this Chair is not disposed to overturn the precedents of the House which the Chair thinks are very clear.

Mr. CURTIS of Missouri. Mr. Speaker, if the Speaker will allow me just one brief moment to point out the reason why I think this is a precedent which should be overruled in the light of a specific case that is before us, which I think very appropriately should be discussed on the floor of the House, and it is certainly better to discuss it on the floor of the House than in the newspapers.

The SPEAKER. The Chair will ask the Clerk to read a part of the ruling by Mr. Speaker Gillett.

The Clerk read as follows:

The Speaker ruled: "The Chair has always supposed that the main purpose of the rule forbidding the disclosure of what transpired in committees was to protect the membership of the committee so that discussions in the committee, where members were forming their opinions upon legislation, might be absolutely free and unembarrassed. Whereas, in this House men are making records, in a committee men ought to act with a consciousness that their attitude would not be published, so that they could consult and discuss with perfect freedom and the committee would have the first as well as the final judgment of all the members of the committee without fear of seeming inconsistent. The Chair has always supposed that was the real purpose, and it is extremely important that the members of the committee should in its proceedings be mutually confidential. But the Chair in inspecting the decision finds that they go much further than that, and they hold not that simply what was said in the committee was confidential but that the records of the committee could not be quoted without the previous authorization of the committee."

Mr. CURTIS of Missouri. Mr. Speaker, I have been directing my attention only to what has transpired in public hearings of this committee. As a matter of fact, the gravamen of the charge that I am making lies in the other House rule, the one that I cited on this particular subject, and not what should have been considered in executive session. This was disclosed and it is common knowledge that this has been published throughout the country in the newspapers.

The SPEAKER. Those hearings have not been published by the House.

Mr. CURTIS of Missouri. They are public hearings.

The SPEAKER. They have not been reported to the House.

Mr. CURTIS of Missouri. They have been made available to the public, Mr. Speaker, and the press has quoted them. Surely a Member of the House should have an equal privilege of discussing these matters which are so important to the House.

The SPEAKER. Anywhere except on the floor of the House.

Mr. CURTIS of Missouri. I would think, with all due respect to the Speaker, that the floor of the House is the fairest place to discuss them, because then those who take exception have an opportunity of answering, whereas if it is through a press release they have no opportunity of answering. I will abide by the ruling, of course.

The SPEAKER. The Chair has made his ruling, and the Chair thinks it is correct.

Mr. CURTIS of Missouri. I would ask unanimous consent to delete that portion of what I may have read that reflects, let us say—will the gentleman from Arkansas state just what part he did not think was appropriate?

Mr. HARRIS. I will say with the greatest respect to the gentleman from Missouri that I simply cannot sit here and listen to the gentleman accuse this committee and make charges and other accusations that the gentleman does not permit me to answer and state what the facts are.

Mr. CURTIS of Missouri. I will if this is the appropriate time.

Mr. HARRIS. If the gentleman had not attempted to make such charges without knowing what the facts were, I think perhaps we could have a better understanding.

Mr. CURTIS of Missouri. If the gentleman will yield, the very purpose of my notifying the gentleman to be here was to give him this opportunity if he felt that I was making an improper statement, to give us some additional information that would throw light on the subject. I suggest we have reached this point. I would be glad to yield to the gentleman for his comments on that area where he thought that there was additional information to be added. He says a premise that I had suggested was inaccurate. I would be glad to yield at this time.

Mr. HARRIS. The gentleman has been critical of the committee because of its handling of the matter with reference to a witness before the committee by name of Miss Paperman.

Mr. CURTIS of Missouri. I am not critical of that. I said I thought that was exemplary. I said I thought the way the gentleman's committee handled that—and this is in public hearing, or was made public—I thought was exemplary because the committee had a proper regard for House rule 11–25 (m). When it was suggested that the evidence might tend to defame or degrade a person the committee went into executive session, held that hearing and then decided that no one would be defamed or degraded by it and the committee went back into open session.

Then under rule 25 (o) the committee made public what went on in the executive session. Certainly I thought that was wholly proper.

Mr. HARRIS. That is precisely what I am trying to say, if the gentleman will permit me to make a statement.

Mr. CURTIS of Missouri. But you said I was critical of the committee's

action in regard to Miss Paperman. I complimented the committee.

I was critical of its action immediately following in permitting its own counsel to testify in public hearing, by hearsay evidence, on matters that tended to defame or degrade a citizen. That is what I criticized.

Mr. HARRIS. And that is precisely what I am trying to get the gentleman to let me explain, the whole situation with regard to Miss Paperman before the committee.

The facts were that the witness, Miss Paperman, came down under subpena to bring records with her. She was charged with the records of this particular company.

Mr. CURTIS of Missouri. That is right.

Mr. HARRIS. The witness defied the committee.

Mr. CURTIS of Missouri. I think that is a little strong.

Mr. HARRIS. No; I am telling the gentleman what the facts are.

Mr. CURTIS of Missouri. I have read the record, and I would not call that necessarily defiance. She said that it would take time to produce these records. The record will speak for itself.

Mr. HARRIS. The gentleman having read the record may know more about it than we who were there.

Mr. CURTIS of Missouri. All I know is what I read in the record of those proceedings.

Mr. HARRIS. She refused to honor the subpena of the committee.

Mr. CURTIS of Missouri. I think again the gentleman is overstating it, but he can draw that conclusion.

Mr. HARRIS. The gentleman is stating the fact. When she refused to honor she gave a statement why she would not honor the subpena.

Mr. CURTIS of Missouri. Why she could not under the circumstances.

Mr. HARRIS. Why she would not.

Mr. CURTIS of Missouri. Could not.

Mr. HARRIS. Consequently, with her lawyer advising her, the committee was fully aware that a record was being made; that the committee on behalf of the Congress insisted that we have the information we thought we were entitled to; then that record would be carried to the courts and the committee felt it absolutely necessary that relevancy be shown for that information.

Mr. CURTIS of Missouri. May I ask the gentleman on that point, why was not that statement then put in the record?

Mr. HARRIS. That statement was put in the record.

Mr. CURTIS of Missouri. Will the gentleman cite me the page in the record where this appears?

Mr. HARRIS. If the gentleman will read the record it will show that it was put in the record; therefore the committee found it necessary to put the staff members on to make a record as to the information that the committee was entitled to have, and that it was relevant and pertinent to the investigation. They were the only witnesses that we had to make the record show that it was relevant. In order to show it was relevant, this forced the committee to put the information in the record at that time. That is the reason for it, that was the purpose. Had not the witness herself at that time refused to honor the subpena, why, then, it would not have been necessary at that particular time to have put this information in the record and make it public, as we did. Consequently, I might say to the gentleman in following that up with the lawyer and Miss Paperman there, the committee only sought information that was relevant and pertinent to this investigation. They came in and presented the information which we have now.

Mr. CURTIS of Missouri. I may say to the gentleman, if he is hinging his case on that, the record should speak for itself.

Mr. HARRIS. I am not basing my case on that. I am telling the gentleman why it is necessary to make a record of the things that the gentleman complains about.

Mr. CURTIS of Missouri. I regret to say that my reading of the record will not substantiate that point of view. A reading of this record will show Miss Paperman was willing to honor the subpena but requested time in order to get this material together; therefore she was not in contempt, as the gentleman might suggest the witness would be in contempt if she failed to comply. There was not a refusal to comply but an explanation of the difficulties in being able to comply.

Mr. HARRIS. If the gentleman will read the entire record he will find it was necessary to order the witness to come back a week later.

Mr. CURTIS of Missouri. I have read the record and I am disturbed that the gentleman has followed that procedure.

Mr. HARRIS. I will say this: This committee feels it is entitled to information that we believe is pertinent to this investigation. As I said to Governor Adams when he was before us, not because of his relationship with Mr. Goldfine, not because these hotel bills were paid, not because there was a vicuna coat, not because there was a rug, but the results or the effect it may have had on decisions of regulatory agencies which come within the jurisdiction of this committee. I submit this committee has followed that rule.

Mr. CURTIS of Missouri. I will ask the gentleman if he does not think the real and proper way to proceed in this matter would have been to establish first that favoritism was accorded and that there had been a deviation on the part of the SEC or any other Federal agency that was outside of normal procedures? This committee is now going into that, but that is what should have been done first.

Mr. HARRIS. The committee could not show that without having the records, and that is precisely what the committee was doing in obtaining the records when the record was made that the gentleman complains of. I think that is the distinction in what the gentleman is presenting to the House.

Mr. CURTIS of Missouri. Let me refer to the allegations which appear in the record to which I referred, wherein Mr. Lishman asked to proceed with respect to the case before the Federal Trade Commission, I quote:

> Are you familiar with those allegations?
> Yes.
> Will you state them?
> Who made these allegations?
> Mr. MCLAUGHLIN. Sir, the allegations in part were made by John Fox of Boston, Mass. I will say in the course of the investigation information was obtained from employees of the Federal Trade Commission who were present at the time of the conversation between Mr. Goldfine and Mr. Sherman Adams.

I will say to the gentleman that if the committee had proceeded in a proper manner, it would have established these allegations first; and it would have done so, I might state, under the rules of the House, in executive session before it proceeded to the other matter.

Mr. HARRIS. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS of Missouri. I yield.

Mr. HARRIS. How is the committee going to be able to establish those facts without obtaining the records which we were seeking? I know the gentleman is a good lawyer and I know he knows how to try a lawsuit.

Mr. CURTIS of Missouri. I certainly hope so.

Mr. HARRIS. And the gentleman knows it is necessary for the committee to obtain records on which to base its findings.

Mr. CURTIS of Missouri. These allegations that I have referred to are not dependent on any records. They are dependent upon the statement of the gentleman, Mr. John Fox, and the statement of some unidentified people in the Federal Communications Commission.

Mr. HARRIS. Does not the gentleman know it is the duty and responsibility of the committee to make investigations and obtain whatever records would be pertinent to it to determine whether or not those allegations were true, and does not the gentleman know that that is the procedure and the only way that it can be done? I am sure the gentleman knows that.

Mr. CURTIS of Missouri. I will say that the gentleman is a good lawyer, and in establishing a case, especially a criminal case, you would, first, have to establish the corpus delicti before you go ahead with the other collateral evidence. And what in essence I have been saying is that this committee did not establish the corpus delicti first, and to this day they have not established it. And yet we have seen a situation result throughout this country where the newspapers and radio and television have been filled with this one aspect of the case which is only collateral and is not the real issue before the committee.

If the subcommittee had proceeded properly it would have considered these very serious matters in executive session. In doing so it would have served the function of the court in determining whether a subpena should be issued or not. The gravamen of the offense in this instance is the corpus delicti which is the alleged existence of favoritism and whether or not this individual brought about this favoritism. In investigating these charges the subcommittee would

have sought real evidence rather than resort to hearsay testimony to establish the proof of these charges and then it would have been proper to then consider these collateral matters. I will say to the gentleman that the opposite was done. Whether or not this procedure was a mistake, the net result has been that a committee of Congress has brought about this situation throughout the country, and, yet, to this date it has not established the gravamen of the charge.

The main subject matter of this committee's mandate from the Congress was to go into the operation of these agencies, not into the operation of Governor Adams or any other individual. It was to find out if there had been favoritism in any of these areas.

Those who would like to see the name of politician receive the honor it should receive must remember that every time they loosely attack the integrity of another person in politics they are damaging the reputation of their own profession and worst of all they are attacking the very foundation of representative government.

Regrettably members in both political parties have been guilty of these techniques. It is so much easier to attack the motives or the integrity of an opponent or an opposing party than the arguments or facts which are presented. But it is facts and arguments that make up 99 percent of public issues.

I publicly have defended the Congress against the implications of the Watkins case—see CONGRESSIONAL RECORD, May 21, 1958, pages 9261 through 9263—because I felt that although there might be some justification for criticism to be directed against the actions of the Congress the only remedy against abuse lay in the self-discipline of the Members of Congress. It certainly did not lie in the hands of the Supreme Court, a coequal branch of the Government.

House rule XI, paragraph 25 (m), was adopted to a large degree because of the criticisms directed against the handling of witnesses before the Un-American Activities Committee. Even though the rule was adopted primarily to protect those accused of Communist activities, surely its principle should be used to protect all citizens, not just Communists and former Communists, and it should include Republicans, I say to my Democratic friends who control the machinery of the Congress and its committees.

I think it is important that action be taken reprimanding the Oversight Subcommittee for its actions in this instant case and directing it to abide by the rules of the House and go about the business the House directed its parent committee to handle. I think the rules of the House are essentially good rules—the power of discretion must be vested in the committee itself but in turn the members of the committee, whichever party they may be a member of or whatever their views on a particular issue may be, must exercise good judgment and self-restraint.

Now just a few closing remarks to bring this matter at hand into balance. I would say to my Democratic friends who are so intent on publicly smearing this administration. Remember you do the cause of representative government a great disservice unless you exercise restraint. Even when good cause exists for exposure and regrettably many times it does, through the exposure good government suffers some. The good balances out the evil only because good government cannot survive if corruption is not called sharply to account. So it is important that good cause exist. I do not believe partisan advantage is good cause.

When I first came to the Congress in 1951 I had a great deal to say on the subject of corruption. I will cite a few references: CONGRESSIONAL RECORD, volume 97, part 1, page 2431; volume 97, part 2, pages 2431, 2634, 2828, so that anyone interested may read what I then said.

Any thoughts lurking in the minds of my Democratic friends that the situation today is anywhere comparable to what it was then should reread their history. The citations I have given will help somewhat in this review. For the sake of good government, let us let these things that are past be past. For the present, let the Subcommittee on Oversight go ahead and stick to its knitting. If there has been favoritism, let us get it out in the open, once it has been properly established, so that we can eliminate it either through changing our laws, if that seems to be what is the matter, or by changing personnel, if that seems to be the difficulty. Certainly by vigorous prosecution in the Justice Department if our laws so provide. But let us lay off the smear campaigning. That can only result in damage to all of us in public life and to the society to which we are responsible.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. Yes; I shall be glad to yield.

Mr. HARRIS. In the first place, as a Member of the House I certainly believe that every Member should have the right, the privilege, and the opportunity to express his own views on a matter of this kind or on any other issue that we may have before us. The gentleman is entitled to his views from the information that he has. But I respectfully submit, from the way the gentleman has expressed himself in his closing statement of his speech, that if he were familiar with all the facts and circumstances and the committee activity, as well as the record of this committee, I do not think he could afford to come to the floor of this House and criticize the committee as he has done this afternoon.

I accept the gentleman's criticism, so far as I am concerned, but respectfully differ from the conclusions that he has drawn. This committee, in my humble opinion, has not engaged in any smear campaign at all. We, as Members of this Congress, have tried diligently to make this a nonpartisan investigation. We have tried, to the best of our ability, to approach this matter in an objective manner. We have crossed some party lines. Just because there might be Democrats involved—the gentleman was talking about Republicans—as there was in connection with the case in Miami, Fla., the same rule that we applied at that time should apply if we should happen to get a Republican involved, too.

Mr. CURTIS of Missouri. I think so. I think the gentleman would do well if he and the committee would reread the rule in regard to executive sessions and the reasons behind it and why the Congress adopted it.

Mr. HARRIS. If the gentleman has read the record and read it carefully, he will find that rule is quoted verbatim not one time but many times in the record from the outset when I took over the chairmanship.

Mr. CURTIS of Missouri. I think the record of June 10 should be published, as it will be, I know, but it should be published at this point so that anyone can read that record.

Mr. HARRIS. It is a public record. Everyone who wants it is entitled to have it for his own benefit.

Mr. CURTIS of Missouri. The Speaker announced it was not a public record. Nevertheless, I think it would be of value, because it should be published widely, so that the public would have a correct report of the matter. The issues we are discussing are based on that record. That is all I am directing my attention to. I think the statements I have made and those I have had to withdraw only because of the rule of the House, will be substantiated by anyone's reading that record.

I have said in here I do not know what the future brings. All I say is that this subcommittee has put the cart before the horse and instead of establishing the case in the manner this Congress directed it to do and then bringing in the collateral facts and tieing in the pieces——

Mr. HARRIS. Mr. Speaker, will the gentleman yield at that point?

Mr. CURTIS of Missouri. As soon as I have finished this statement.

It started the other thing first, the aspect of the case that involved the reputation of a public servant. It started that first before it established what should have been established first, that is, had there been favoritism accorded in any other Federal bureaus to any particular individual? That is the issue, and I am glad to learn that your subcommittee is now going into this aspect. I hope you stick to that and that in future cases you start out that way and then bring in the other cases where you have found favoritism. Let us get on with the job, but let the task be done properly.

Mr. HARRIS. Will the gentleman yield in his stark statement which the gentleman now speaking will accept but cannot agree to? What the gentleman cannot seemingly understand and see through is the fact we had a witness that had information that was necessary for the committee to have in order to establish what he said the committee should have, who defied the committee and failed to honor the subpena. We had to use this method to establish the record in order to make it relevant. We proceeded from there to get the information. We have the information today, and I hope that will be sufficient to show

that the committee knew nothing at that time to present to the American public to show what has been happening in some of these agencies. If the gentleman is going to criticize the committee for going into the operation and administration of these agencies——

Mr. CURTIS of Missouri. I am not.

Mr. HARRIS. Where it has been clearly shown they have not been carrying out their duties in many instances and administering these laws as the Congress intended, if that is the position he takes he does it on his own. My conscience is clear. We have been charged with a lot of other things. I have been charged with whitewashing many times, not one, but many. I have been charged with not vigorously prosecuting this investigation. I have been charged with going too far. I think I know a little bit about American jurisprudence. I think I know a little bit about investigations. I believe in my own heart we have approached this from an objective standpoint to get the facts. The facts are what we are after, to get the facts and expose them so the American people will know what is going on. We have done that, and the American people know what has been going on.

Mr. CURTIS of Missouri. The gentleman is now beginning to reveal what I thought was the intention of the subcommittee, which was exposure before the case was proved. I am sorry to hear that.

Mr HARRIS. The gentleman is in error. I did not say anything like that and I object to the gentleman making such an accusation.

Mr. CURTIS of Missouri. Let the words stand for what they are.

Mr. HARRIS. I would certainly be glad to do that.

Mr. CURTIS of Missouri. And I also say this: That the record of this hearing of June 10, 1958, is here for anyone to review as to whether or not the excuse, and I regard it as an excuse that the gentleman from Arkansas has given as to why they did not go into executive session and why they did not establish the gravamen of this offense—alleged offense—it just does not hold up in the light of this record.

Mr. HARRIS. I would like to say this for the future, for the future Congresses or for the future of the committee.

Mr. CURTIS of Missouri. I am sorry I cannot yield to the gentleman at this point.

Mr. HARRIS. The gentleman is interested in that I am sure for the future of the committee. I am sure he would be interested in that; would he not?

Mr. CURTIS of Missouri. I cannot yield at this point until I finish this statement, then I will yield to the gentleman. I will yield as soon as I have finished.

I, along with many of the Members of this House, voted for this committee to have this authority. I think it is very important that we always look into these things. I have urged that this subcommittee go ahead with its work and bring out favoritism, if it exists, and correct our laws if that is the trouble, and change the present law if that is the trouble, but let us do it in an orderly fashion in a way that conforms to the rules of the House. We must respect the rules and that is the issue here. Now what comes out of this investigation I do not know. I conclude by saying that this subcommittee having gone ahead and brought out this matter, if they do not establish the gravamen of the offense, has wittingly or unwittingly brought about a defamation of an American citizen. That is what, I think, we all want to avoid.

## SOCIAL SECURITY BENEFITS

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 10 minutes.

Mr. PELLY. Mr. Speaker, as far as domestic policy is concerned, no subject is of greater interest to the American people than the functioning of our social security system. Indeed, it is of such importance that I repeat here the views which I recently submitted to the Ways and Means Committee who are holding hearings on this legislation.

Since 1954 there has been no liberalization of benefits to adjust pensions of retired persons under the old-age and retirement system in line with the increased cost of living. The Congress has fulfilled its obligation to its Federal civilian and military employees by adjusting their rates of pay to meet the higher cost of living. Also, there has been some recognition of the lower purchasing power of the dollar in the increases established in pensions in some of our retirement programs. But I believe liberalization of social security now should have priority.

All of us recognize, I am sure, the need for considerable improvement in our social security program. At the same time, it must also be recognized that at this stage of this session of Congress there is hardly time for any extensive overhauling. If we are to be realistic, if we are to direct ourselves to legislation that can be approved before adjournment, we must be selective and concentrate on the most pressing issues.

On the basis of such an approach I should like to urge action in three main areas:

First. Liberalization of the benefit structure.

Second. A higher limit on outside earnings for retired persons.

Third. An earlier retirement age.

In calling attention to these proposed changes, I want to make it clear that they should be considered within the framework of a sound actuarial basis with an adequate reserve fund insofar as the old age and survivors insurance fund is concerned. Such a policy has been the foundation of our social security system since it was enacted, and I am sure that the overwhelming majority of the American people firmly support the continuation of this policy.

### LIBERALIZATION OF BENEFITS

It is common knowledge that the monthly benefit check received by millions of elderly citizens is pitifully inadequate. In my files—as in the files of the average Congressman—are dozens of letters from older persons who find it impossible to stretch their incomes and pensions to meet the increased cost of living and growing inflation. It seems highly desirable that there be an overall adjustment in benefits if the millions of people on the social security rolls are to enjoy retirement on the basis of objectives of this program.

A recent nationwide study from the University of California compared the amount of income received by older persons with careful estimates of the cost of living. The conclusion reached by the California scientists is that almost one-half of our older couples and about three-fourths of our older individuals do not have enough income to live at a minimum standard of health and decency.

While we cannot hope to resolve a problem of this magnitude overnight, we should and can take a number of steps in the direction of improving the situation.

My first recommendation is that cash benefits be increased by at least 10 percent across the board. In this connection I want to emphasize the importance of such a cost-of-living increase for persons now on the retirement rolls. The value of their existing benefits has shrunk by the inflationary movement of recent years and certainly there is every justification for correcting a condition for which these senior citizens are not responsible.

Another meritorious proposal is to bring up to date the relationship between current wage levels and benefits. The present relationship is far out of joint as a result of the substantial upward movement of earnings in recent years. There is substantial reason, it seems to me, for expanding the taxable wage base from $4,200 to $6,000. This change has the endorsement of wage-earners groups generally and certainly is in line with the fundamental principle, enunciated when social security was adopted, that there should be a realistic relationship between the earnings of a worker and his retirement income.

The increase in the wage base would mean a substantial upward revision in future benefits. Maximum benefits would go up from $200 to $305 a month. The maximum individual benefit would become $151.80 instead of $108.50 a month. Thus, benefit payments would be brought more clearly into line with the increased salaries and living costs now prevailing.

It should also be pointed out that the increased income for the social security fund from the larger wage base would probably help to finance other improvements.

### LIMIT ON OUTSIDE EARNINGS

Another proposal that deserves favorable consideration is an increase in the amount which social security recipients are allowed to earn and still receive their full benefit.

Under present law, annuitants are permitted to earn only a maximum of $1,200 a year. This means that the average retired worker who draws the average benefit—which at the end of 1956 was about $63 a month, or $758 a

year—is held to less than $2,000 a year in combined benefits and earnings. Such a restriction, I maintain, does not reflect wise governmental policy.

I would urge that the present limit on outside earnings be increased to at least $1,800. This would afford some immediate relief to those who must try to supplement their benefits by obtaining additional wage income.

An increase in the ceiling to $1,800, I am told, could be made at a cost of only 0.33 percent of payroll on a level premium basis. The effect on the old-age and survivors trust fund of such a change is so moderate that it could be absorbed without any strain.

LOWER RETIREMENT AGE

There is widespread support for an earlier retirement age, especially for women. Such a change is timely and deserves the consideration of the Congress. Let me reiterate my position, however, that this important question must be considered and resolved on the basis of sound actuarial policy.

Under the present law, age requirements are 65 for men and 62 for women, although the latter must accept reduced benefits if they take advantage of their earlier eligibility age. I would like to indicate some of the compelling arguments which establish a case for lowering these requirements.

Many workers would prefer to retire at an earlier age and are financially able to do so if they could include social security income. They should be given such an opportunity. They are entitled to enjoy a few years of leisure after many years of hard work.

Another consideration which strongly supports the need for earlier retirement is the problem of workers in poor health. Under present circumstances they must struggle to work in their last years because they cannot afford to retire. These workers face bitter hardships before they can take advantage of their social security benefits. In many instances, the struggle to keep going to reach the promised goal may result in premature death and no retirement.

Not the least of the benefits to be derived from an earlier retirement age is its relationship to the attainment of full employment. One of the characteristics of the unemployed at present is that younger workers have been most heavily affected. This condition, of course, is a consequence of the fact that in manufacturing industries older workers are generally protected by seniority provisions. If, however, more of the older working people can be induced to retire, more vacancies will be provided for the younger men and women who need employment.

Finally, I strongly favor the proposition that women should have a retirement age lower than that of men. In most instances women are some years younger than their husbands. This customary differential acts as a deterrent to the retirement of men when they reach their eligibility age, because benefits are not adequate to support a family until the wife has reached her eligibility age. Moreover, women thrown upon their own resources late in life, through widowhood or otherwise, find it difficult to obtain employment; they should have the opportunity, it seems to me, at an age less than 62, to retire on such social security benefits as they or their deceased husbands have earned.

CONCLUSION

These proposals represent my attempt to meet the areas of greatest need through legislation in the remaining weeks of this session. My proposals are aimed primarily at giving to the older people some of the relief to which they are entitled, and toward providing for American workers benefits more in keeping with current wage levels and the American standard of living.

We have a serious obligation to our senior citizens, as well as to those looking forward to retirement, and it is my strong hope that the Congress will discharge this obligation by enacting legislation before Congress adjourns.

## DAR PANAMA CANAL RESOLUTION: ATTACKED AND DEFENDED

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FLOOD. Mr. Speaker, concerning my recent addresses on Panama Canal problems, I bring to the attention of the Congress some correspondence that has taken place between the Women of the Pan-American Roundtable of Panama and the National Society, Daughters of the American Revolution. This correspondence, which is self-explanatory, I include as parts of these remarks.

It is to be noted that the Women of the Pan-American Roundtable in Panama took exception to the resolution on the Panama Canal adopted by the 67th Continental Congress of the Daughters of the American Revolution in which the latter approved House Concurrent Resolution 205, now pending. This concurrent resolution sets forth a clear-cut declaration on United States sovereignty rights with respect to the Canal Zone and Panama Canal.

The responsive letter of the DAR is admirable in its brief discussion of these rights and is invested with a fine spirit of kindness and understanding. Believing as I do, that the National Society, DAR, acted with the highest motives of patriotism and informed judgment, I am grateful for this manifestation.

In conclusion, it may be said that DAR organizations, both national and State, have been throughout the years splendidly militant, and patriotic. In these fields they have been leaders and not followers. Moreover, they have never hesitated to take a stand on questions affecting the welfare of our Nation or the world at large.

The indicated correspondence follows, together with House Concurrent Resolution 205, 85th Congress, of which I am the author.

NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION,
*Washington, D. C., June 18, 1958.*

DEAR CONGRESSMAN FLOOD: As you may recall, the 67th Continental Congress, National Society, Daughters of the American Revolution, April 14–18, 1958, adopted a resolution strongly supporting House Concurrent Resolution 205, 85th Congress, introduced by you during the first session of the present Congress. This action by the Daughters of the American Revolution evoked a protest by the Women of the Pan-American Roundtable of Panama, dated April 18, 1958, to which we replied on June 18, 1958.

In order that you may have this exchange of correspondence concerning the Isthmian Canal policy of the United States for your information and for such other use, if any, which you may care to make of it, we enclose copies of the indicated DAR resolution and letters.

May I take this opportunity, Congressman FLOOD, to commend you for the extraordinarily able presentations you have made to the Congress and the Nation on the vitally important question of Panama Canal sovereignty. Your splendid addresses have been a source of great inspiration among our members, not only in Pennsylvania, but also throughout the Nation.

Sincerely yours,

MARY BARCLAY ERB
(Mrs. Ray L. Erb).

RESOLUTION ADOPTED BY THE SIXTY-SEVENTH CONTINENTAL CONGRESS, NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION, APRIL 14–18, 1958

PANAMA CANAL

Whereas widespread propaganda of Communist origin has been, and still is, aimed at the internationalization of the Panama Canal and the wresting of its ownership and control from the United States of America; and

Whereas radical elements in the Republic of Panama are carrying on active and highly provocative propaganda on behalf of fantastic demands for (a) further, and impossible annuity and other benefits, and (b) the impairment and practical destruction of the absolute and exclusive sovereignty, in perpetuity, of the United States of America over the constitutionally acquired territory of the Canal Zone, and over the Panama Canal, constructed at the expense of the American taxpayer and maintained and operated by the United States of America on terms of equality for all nations as required by treaty; and

Whereas these sinister and demagogic agitations have, as their purpose, the liquidation or fatal weakening of such sovereignty, altogether indispensable for the maintenance, operation, and protection of the canal, and this without the slightest suggestion of reimbursement to the United States of America for its vast investment in the canal enterprise: Be it

*Resolved*, That the 67th Congress, National Society, Daughters of the American Revolution respectfully, but most earnestly, urge upon the Congress of the United States of America the prompt passage of House Concurrent Resolution 205, now pending, which has for its purpose the reaffirmation of the complete and exclusive sovereignty in perpetuity of the United States of America over the Canal Zone and Panama Canal in accord with basic treaty agreements.

PANAMA, REPUBLIC OF PANAMA,
*April 18, 1958.*

To the DAUGHTERS OF THE AMERICAN REVOLUTION,
*Washington, D. C., U. S. A.*

MESDAMES: The local press has recently informed the citizens of this country of a peti-

tion, supposedly addressed by you to your Government, to the effect that it [the United States Government] should, once and for all, state absolute sovereignty of the United States in the Panama Canal Zone.

The effect of this news item has been not only one of producing profound amazement among the people who are well informed about the relations between our countries, but also of provoking a state of alarm in the public opinion in general.

We—the Women of the Pan-American Roundtable of Panama—who are a part of that public opinion and who also regard ourselves as belonging to the group of persons who are students of inter-American relations, have been doubly surprised by your attitude and are especially concerned as to the consequences that may derive therefrom.

You know full well that the subject of absolute sovereignty of the United States in the Panama Canal Zone is a unilateral interpretation, which the Government of your country has from 1903 to date cared to give to articles II and III of the Canal Convention, especially to article III which provides that "the Republic of Panama grants the United States of America all rights, power, and authority in the zone, mentioned and described in article II of this convention, within the limits of all auxiliary lands and waters, mentioned and described in said article II, which the United States of America would exercise if it were the sovereign of the territory in which said lands and waters are situated, with the total exclusion of the Republic of Panama, in the exercise of those rights, power, and authority."

And you also know that the criterion of the Republic of Panama in this respect has, since the beginning of the negotiations, been persistently contrary to that interpretation; that is to say, our country has held that, if it is true that article II of the convention confers upon the United States the use, occupation, and control of a zone of land, and of land covered by water, that right of use is limited precisely to the five purposes which are mentioned therein, namely, "for the construction, maintenance, operation, sanitation, and protection of said enterprise"; and that Panama has not thereby relinquished the right of use and enjoyment of the zone in connection with other activities not included in those mentioned. "And it may therefore enjoy, jointly with the United States, the right to use the zone as its own territory, provided that by so doing the functioning and operation of the canal will not be disturbed."

The criterion of [intrepretation by] neither of the contracting parties has changed regarding this point from 1903 to date; that is to say, in more than half a century of relations and negotiations. And throughout that period the United States of America has respected the criterion of Panama, and has not tried to take by force that which in law and justice does not belong to it. On the contrary, a modus operandi of collaboration and mutual understanding has developed along with that convention, which serves as an indication of the harmonious human relations of good-neighborliness between these two civilized peoples.

Well, then. That which precisely worries us Women of the Pan-American Roundtable and makes our hearts heavy with apprehension is the fact that it should have been precisely an organization of distinguished women to suggest, during the present period of trial for the democracies of the world, an attitude and method so at variance with the universal principles of a genuine democracy. If your petition is heeded by your Government, the Free World would be confronted by the clearest evidence of a state of mind of the American people, and of a state of potential weakness which no one as yet dared to accept as real. Because it is a fact that the United States democracy has attracted to itself the inquisitive glances of the entire Free World ever since the first tests in space by the Russians. It [United States democracy] is being observed, it is being studied, it hinges on the slightest reaction to world events. Any step in the wrong direction, any sign of weakness, would destroy the faith and trust which the Free World has vested in the world's richest nation in material resources, and the most valiant nation as to spiritual achievements.

Are you sure, distinguished Daughters of the American Revolution, that, by your petition to the Government of your country, you may not be weakening the cause of democracy and that you may not be endangering the prestige of your democracy, your tradition as a people loving freedom and respecting human dignity?

In the name of tranquillity in the Free World and because of the prestige of the land of Washington, Jefferson, and Lincoln, we are making this appeal to your prudence.

For the Women of the Pan-American Roundtable of Panama:

Dr. ELSA MERCADO,
*Chairman.*

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NATIONAL DEFENSE COMMITTEE,
*Washington, D. C., June 18, 1958.*

Dr. ELSA MERCADO,
*President, Women of the Pan-American Roundtable of Panama, Panama, Republic of Panama.*

DEAR DR. MERCADO: Your letter of April 18, 1958, with respect to the resolution of the 67th Continental Congress of the Daughters of the American Revolution concerning the Panama Canal was read with the greatest interest. Though a comprehensive reply to the questions raised by you would be too long for a letter, some important angles should be stressed.

You must realize that the United States would never have undertaken the construction, maintenance, operation, sanitation, and protection of the Panama Canal except for the express grant of exclusive sovereignty over the Canal Zone for these purposes. It was undoubtedly recognized by the 1903 treatymakers, both Panamanian and North American, that divided jurisdiction would be a continuing cause of controversy. It was to obviate such a situation that complete and exclusive sovereignty provisions in favor of the United States were written into the 1903 treaty.

Under these provisions and in harmony with their clear meaning, the United States undertook with great success the construction of the canal and ever since has continued to operate and maintain it, with like success. If the 1903 treatymakers had insisted on inclusion of provisions for joint sovereignty, the United States would never have accepted the treaty nor undertaken the vast project. Moreover, the United States treatymakers would never have risked the money of its taxpayers unless Panama had granted in perpetuity free and unhampered action in these matters.

Now, dear Madame President, in all this there was no policy or desire to injure the Government or people of Panama. It was solely for the paramount purpose of constructing the great waterway and for its subsequent maintenance and operation for the benefit of both Panama and the United States, and the world at large.

Do you not know that if the security of the Panama Canal enterprise had not been thus grounded that the Isthmian venture would have been located at Nicaragua or at some other point? Do you not realize that if the Panama Canal or its management, in whole or in part, ever becomes a political asset to Panama, its operation and maintenance would be greatly hampered or impaired with tragic results to your own country, the United States, and all other nations? Further than this, do you not also realize that except for the Panama Canal enterprise, Panama would never have survived as a free and independent state, and would undoubtedly have been reoccupied by Colombia?

In view of these realistic conditions and considerations, it does seem most unwise that your fine organization, for purely sentimental and unrealistic ideas, should insist upon illusory claims of sovereignty with respect to the Canal Zone and Panama Canal.

Undoubtedly, the recent most sad and tragic events in Panama, precipitated by students, furnish the strongest evidence of the wisdom of the 1903 treatymakers for including the already-mentioned sovereignty provisions in perpetuity, for they provide the conditions of stability that are indispensable for the success of the enterprise.

The Panama Canal has brought benefits of outstanding character to Panama and its people; and these benefits will grow with the years. The people of the United States, ever since they undertook to build the canal, have entertained the deepest affection for Panama and its people. Never has there been any movement in the United States to organize hostility against Panama or its people because of matters of difference between the two countries.

We believe that our Government has been fully generous in its dealings with Panama and we deplore any organized effort by radical groups in your country, which may well bear some taint of communism, to incite the hatred of the United States and its citizens through insistent demonstrations and propaganda.

We consider that four recent addresses in the Congress, on March 26, April 2, June 9, and June 17, 1958, by Representative DANIEL J. FLOOD, of Pennsylvania, adequately cover the sovereignty question, and enclose copies for you. We feel, too, that when the people of both Panama and the United States learn more of the history of the Panama Canal that there will be better understanding.

Finally, Madame President, we must not be enemies but must be, and ever remain, friends. With assurances of our highest respect and esteem, we remain,

Sincerely yours,

MARY BARCLAY ERB
Mrs. Ray L. Erb.

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House Concurrent Resolution 205

Whereas there is now being strongly urged in certain quarters of the world the surrender, by the United States, without reimbursement, of the Panama Canal, to the United Nations or to some other international organization for the ownership and operation of the canal; and

Whereas the United States, at the expense of its taxpayers and under, and fully relying on, treaty agreements, constructed the canal, and since its completion, at large expenditure, has maintained and operated it and provided for its protection and defense; and

Whereas the United States, following the construction of the canal, has since maintained, operated, and protected it in strict conformity with treaty requirements and agreements, and has thus made it free, without restriction or qualification, for the shipping of the entire world; and, in consequence of which, with respect to the canal and the Canal Zone, every just and equitable consideration favors the continuance of the United States in the exercise of all the rights and authority by treaty provided, and in the discharge of the duties by treaty imposed: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That (1) it is the sense and judgment of the Congress that the United States should not, in any wise, surrender to any other government or authority

its jurisdiction over, and control of, the Canal Zone, and its ownership, control, management, maintenance, operation, and protection of the Panama Canal, in accordance with existing treaty provisions; and that (2) it is to the best interests—not only of the United States, but, as well, of all nations and peoples—that all the powers, duties, authority, and obligations of the United States in the premises be continued in accordance with existing treaty provisions.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PELLY, for 10 minutes, today, and to revise and extend his remarks.

Mrs. ROGERS of Massachusetts, for 10 minutes, today.

Mr. CHRISTOPHER (at the request of Mr. LIBONATI), for 45 minutes, on Monday, June 30, 1958.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BYRNE of Illinois in two instances.

Mr. ROGERS of Florida and to include extraneous matter.

Mr. O'NEILL and to include an article by Mr. BOLAND.

Mr. BYRNES of Wisconsin and to include extraneous matter.

Mr. O'HARA of Illinois (at the request of Mr. LIBONATI) to revise and extend remarks made in Committee of the Whole today and to include extraneous matter.

Mr. MCDONOUGH and to include extraneous matter.

Mr. KEATING, to revise and extend remarks made by him in Committee of the Whole today on the professional team sports bill and include certain telegrams and letters and other extraneous matter.

Mr. DENNISON and to include extraneous matter.

Mr. LAIRD to extend his remarks immediately following Mr. HALEY and to include therewith a letter from the Menominee Indian Tribe and also two letters from the Governor of the State of Wisconsin.

Mr. CANFIELD (at the request of Mr. JOHANSEN) and include extraneous matter.

Mr. TEAGUE of Texas in four instances and include extraneous matter.

Mr. DINGELL (at the request of Mr. LIBONATI) and to include extraneous matter.

Mr. HOLTZMAN (at the request of Mr. LIBONATI) and to include extraneous matter.

Mr. MULTER (at the request of Mr. LIBONATI) and to include extraneous matter.

Mr. ALGER.

Mr. FOGARTY.

## SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 13. An act for the relief of Hsiu-Kwang Wu and Hsiu-Huang Wu; to the Committee on the Judiciary.

S. 495. An act to authorize the acquisition of the remaining property in square 725 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate or for the purpose of addition to the United States Capitol Grounds; to the Committee on Public Works.

S. 2158. An act relating to the procedure for altering certain bridges over navigable waters; to the Committee on Public Works.

S. 2262. An act for the relief of Hasan Muhammad Tiro; to the Committee on the Judiciary.

S. 2517. An act to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes; to the Committee on Interior and Insular Affairs.

S. 2850. An act for the relief of Maria Pontillo; to the Committee on the Judiciary.

S. 2860. An act for the relief of Miss Susana Clara Magalona; to the Committee on the Judiciary.

S. 2936. An act for the relief of Feofania Bankevitz; to the Committee on the Judiciary.

S. 2941. An act for the relief of John Favia (John J. Curry); to the Committee on the Judiciary.

S. 2943. An act for the relief of Letitia Olteanu; to the Committee on the Judiciary.

S. 2964. An act granting the consent and approval of Congress to a compact between the State of Connecticut and the State of Massachusetts relating to flood control; to the Committee on Public Works.

S. 2983. An act for the relief of Bernabe Miranda and Manuel Miranda; to the Committee on the Judiciary.

S. 3010. An act for the relief of Jose Mararac; to the Committee on the Judiciary.

S. 3021. An act for the relief of Stanislawa Wojczul; to the Committee on the Judiciary.

S. 3042. An act for the relief of Miss Allegra Azouz; to the Committee on the Judiciary.

S. 3053. An act to authorize the Secretary of the Army to convey certain real property at Demopolis lock and dam project, Alabama, to the heirs of the former owner; to the Committee on Public Works.

S. 3130. An act for the relief of Georgios Papakonstantinou; to the Committee on the Judiciary.

S. 3131. An act for the relief of Amile Hatem and Linda Hatem; to the Committee on the Judiciary.

S. 3137. An act for the relief of Mathilde Gombard-Liatzky; to the Committee on the Judiciary.

S. 3139. An act to repeal the act of July 2, 1956, concerning the conveyance of certain property of the United States to the village of Carey, Ohio; to the Committee on Government Operations.

S. 3142. An act to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the act of June 24, 1948 (62 Stat. 644), and for other purposes; to the Committee on Government Operations.

S. 3192. An act for the relief of Edeltrand Maria Theresia Collom; to the Committee on the Judiciary.

S. 3276. An act for the relief of Carl Ebert and his wife, Gertrude Ebert; to the Committee on the Judiciary.

S. 3300. An act for the relief of Jean Andre Paris; to the Committee on the Judiciary.

S. 3305. An act for the relief of Adamantia Papavasiliou; to the Committee on the Judiciary.

S. 3354. An act for the relief of Fuad E. Kattuah; to the Committee on the Judiciary.

S. 3392. An act establishing the time for commencement and completion of the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock Island, Ill.; to the Committee on Public Works.

S. 3421. An act for the relief of Alexander Nagy; to the Committee on the Judiciary.

S. 3469. An act to authorize the Secretary of the Interior to amend the repayment contract with the Arch Hurley Conservancy District, Tucumcari project, New Mexico; to the Committee on Interior and Insular Affairs.

S. 3475. An act for the relief of Florentino Bustamante Bacaoan, yeoman, second class, United States Navy; to the Committee on the Judiciary.

S. 3524. An act to change the name of the Markland locks and dam to McAlpine locks and dam; to the Committee on Public Works.

S. 3569. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by the State of Utah; to the Committee on Interior and Insular Affairs.

S. 3677. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

S. 3833. An act to provide for a survey of the Coosawhatchie and Broad Rivers in South Carolina, upstream to the vicinity of Dawson Landing; to the Committee on Public Works.

S. 3873. An act to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds; to the Committee on Government Operations.

S. Con. Res. 92. Concurrent resolution withdrawing suspension of deportation in the case of Jesus Angel Moreno; to the Committee on the Judiciary.

## ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2548. An act to authorize payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project;

H. R. 4260. An act to authorize the Chief of Engineers to publish information pamphlets, maps, brochures, and other material;

H. R. 4683. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam;

H. R. 5033. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

H. R. 6306. An act to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes";

H. R. 6322. An act to provide that the dates for submission of plan for future control of the property of the Menominee Tribe shall be delayed;

H. R. 6641. An act to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes;

H. R. 7081. An act to provide for the removal of a cloud on the title to certain real property located in the State of Illinois;

H. R. 7917. An act for the relief of Ernst Haeusserman;

H. R. 9381. An act to designate the lake above the diversion dam of the Solano project in California as Lake Solano;

H. R. 9382. An act to designate the main dam of the Solano project in California as Monticello Dam;

H. R. 10009. An act to provide for the reconveyance of certain surplus real property to Newaygo, Mich.;

H. R. 10035. An act for the relief of Federico Luss;

H. R. 10349. An act to authorize the acquisition by exchange of certain properties within Death Valley National Monument, Calif., and for other purposes;

H. R. 10969. An act to extend the Defense Production Act of 1950, as amended;

H. R. 11058. An act to amend section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, relating to tobacco acreage allotments;

H. R. 11399. An act relating to price support for the 1958 and subsequent crops of extra long staple cotton;

H. R. 12052. An act to designate the dam and reservoir to be constructed at Stewarts Ferry, Tennessee, as the J. Percy Priest Dam and Reservoir;

H. R. 12164. An act to permit use of Federal surplus foods in nonprofit summer camps for children;

H. R. 12521. An act to authorize the Clerk of the House of Representatives to withhold certain amounts due employees of the House of Representatives;

H. A. 12586. An act to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury;

H. R. 12613. An act to designate the lock and dam to be constructed on the Calumet River, Illinois, as the "Thomas J. O'Brien lock and dam";

H. J. Res. 382. Joint Resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; and

H. J. Res. 577. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

## BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval bills and a joint resolution of the House of the following titles:

H. R. 2548. An act to authorize payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project;

H. R. 4260. An act to authorize the Chief of Engineers to publish information pamphlets, maps, brochures, and other material;

H. R. 4683. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam;

H. R. 5033. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.

H. R. 6641. To fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire lands therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes;

H. R. 7081. An act to provide for the removal of a cloud on the title to certain real property located in the State of Illinois;

H. R. 7917. An act for the relief of Ernst Haeusserman;

H. R. 9381. An act to designate the lake above the diversion dam of the Solano project in California as Lake Solano;

H. R. 9382. An act to designate the main dam of the Solano project in California as Monticello Dam;

H. R. 10009. An act to provide for the reconveyance of certain surplus real property to Newaygo, Mich.;

H. R. 10035. An act for the relief of Federico Luss;

H. R. 10349. An act to authorize the acquisition by exchange of certain properties within Death Valley National Monument, Calif., and for other purposes;

H. R. 10969. An act to extend the Defense Production Act of 1950, as amended;

H. R. 11058. An act to amend section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, relating to tobacco acreage allotments;

H. R. 11399. An act relating to price support for the 1958 and subsequent crops of extra long staple cotton;

H. R. 12052. An act to designate the dam and reservoir to be constructed at Stewarts Ferry, Tennessee, as the J. Percy Priest Dam and Reservoir;

H. R. 12164. An act to permit use of Federal surplus foods in nonprofit summer camps for children;

H. R. 12521. An act to authorize the Clerk of the House of Representatives to withhold certain amounts due employees of the House of Representatives;

H. R. 12586. An act to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury;

H. R. 12613. An act to designate the lock and dam to be constructed on the Calumet River, Illinois, as the "Thomas J. O'Brien lock and dam"; and

H. J. Res. 577. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

## ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 33 minutes p. m.) the House adjourned until tomorrow, Wednesday, June 25, 1958, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2060. A letter from the Secretary of Commerce, transmitting copies of reports for partial restoration of the balances withdrawn from the appropriation "Salaries and expenses, general administration," (1360120), pursuant to Public Law 798, 84th Congress; to the Committee on Government Operations.

2061. A letter from the Secretary of State, transmitting the draft of a proposed bill entitled "A bill to amend the Foreign Service Act of 1946, as amended, and for other purposes"; to the Committee on Foreign Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 5949. A bill to provide for the conveyance of certain real property of the United States located at the Veterans' Administration hospital near Amarillo, Tex., to Potter County, Tex.; with amendment (Rept. No. 1948). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE: Joint Committee on Atomic Energy. H. R. 12457. A bill to further amend Public Law 85–162 and Public Law 84–141, to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 1949). Referred to the Committee of the Whole House on the State of the Union.

Mr. HEMPHILL: Committee on Post Office and Civil Service. S. 385. An act to authorize the training of Federal employees at public or private facilities, and for other purposes; with amendment (Rept. No. 1951). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. H. R. 12628. A bill to amend title VI of the Public Health Service Act to extend for an additional 3-year period the Hospital Survey and Construction Act; without amendment (Rept. No. 1952). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 12739. A bill to amend section 1105 (b) of title XI (Federal Ship Mortgage Insurance) of the Merchant Marine Act, 1936, as amended, to implement the pledge of faith clause; without amendment (Rept. No. 1953). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. H. R. 12694. A bill to authorize loans for the construction of hospitals and other facilities under title VI of the Public Health Service Act, and for other purposes; without amendment (Rept. No. 1954). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee on Interstate and Foreign Commerce. H. R. 10045. A bill to provide for the sale of all of the real property acquired by the Secretary of Commerce for the construction of the Burke Airport, Va.; with amendment (Rept. No. 1955). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H. R. 12827. A bill to extend the provisions of title III of the Federal Civil Defense Act of 1950, as amended; without amendment (Rept. No. 1956). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. H. R. 13015. A bill to authorize certain construction at military installations, and for other purposes; with amendment

(Rept. No. 1957). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. S. 3500. An act to require the full and fair disclosure of certain information in connection with the distribution of new automobiles in commerce, and for other purposes; without amendment (Rept. No. 1958). Referred to the House Calendar.

Mr. ROONEY: Committee of conference. H. R. 12428. A bill making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1959, and for other purposes (Rept. No. 1980). Ordered to be printed.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 3100. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation; without amendment (Rept. No. 1981). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee of conference. S. 3910. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes (Rept. No. 1982). Ordered to be printed.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 8859. A bill to quiet title and possession with respect to certain real property in the county of Humboldt, State of California; with amendment (Rept. No. 1950). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1593. An act for the relief of Elisabeth Lesch and her minor children, Gonda, Norbert, and Bobby; without amendment (Rept. No. 1959). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1975. An act for the relief of Peder Strand; without amendment (Rept. No. 1960). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2638. An act for the relief of Nicholas Christos Soulis; without amendment (Rept. No. 1961). Referred to the Committee on the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2665. An act for the relief of Jean Kouyoumdjian; without amendment (Rept. 1962). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2944. An act for the relief of Yoshiko Matsuhara and her minor child, Kerry; without amendment (Rept. No. 1963). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2950. An act for the relief of Peter Liszczynski; without amendment (Rept. No. 1964). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2965. An act for the relief of Taeko Takamura Elliott; without amendment (Rept. No. 1965). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2984. An act for the relief of Taka Motoki; without amendment (Rept. No. 1966). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2997. An act for the relief of Leobardo Castaneda Vargas; without amendment (Rept. No. 1967). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3019. An act for the relief of Herta Wilmersdoerfer; without amendment (Rept. No. 1968). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3080. An act for the relief of Kimiko Araki; without amendment (Rept. No. 1969). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3159. An act for the relief of Cresencio Urbano Guerrero; without amendment (Rept. No. 1970). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3172. An act for the relief of Ryfka Bergmann; without amendment (Rept. No. 1971). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3173. An act for the relief of Prisco Di Flumeri; without amendment (Rept. No. 1972). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3175. An act for the relief of Giuseppina Fazio; without amendment (Rept. No. 1973). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3176. An act for the relief of Teofilo M. Palaganas; without amendment (Rept. No. 1974). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3269. An act for the relief of Mildred (Milka Krivec) Chester; without amendment (Rept. No. 1975). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3271. An act for the relief of Souhail Wadi Massad; without amendment (Rept. No. 1976). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3272. An act for the relief of Janez (Garantini) Bradek and Franciska (Garantini) Bradek; without amendment (Rept. No. 1977). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3358. An act for the relief of John Demetriou Asteron; without amendment (Rept. No. 1978). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3364. An act for the relief of Antonios Thomas; without amendment (Rept. No. 1979). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H. R. 13082. A bill to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946; to the Committee on Public Works.

By Mr. BENNETT of Michigan:

H. R. 13083. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. BROOMFIELD:

H. R. 13084. A bill to prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CARNAHAN:

H. R. 13085. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to provide for the donation of surplus property to public libraries; to the Committee on Government Operations.

By Mr. CHENOWETH:

H. R. 13086. A bill to authorize private transactions involving the sale, acquisition, or holding of gold within the United States, its Territories and possessions, and for other purposes; to the Committee on Banking and Currency.

By Mr. CORBETT:

H. R. 13087. A bill to make permanent certain temporary increases in rates of compensation of employees of the Postal Field Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DAVIS of Georgia:

H. R. 13088. A bill to fix and regulate the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, of the United States Park Police, and of the White House Police, and for other purposes; to the Committee on the District of Columbia.

By Mr. DELLAY:

H. R. 13089. A bill to amend the Federal Water Pollution Control Act to increase one of the limitations on grants for construction from $250,000 to $500,000, and for other purposes; to the Committee on Public Works.

By Mrs. GREEN of Oregon:

H. R. 13090. A bill to amend title II of the Social Security Act, as amended, to provide cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. HARRIS:

H. R. 13091. A bill to authorize the expenditure of funds through grants for support of scientific research and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KING:

H. R. 13092. A bill to extend the Renegotiation Act of 1951 for 2 years, to apply the requirements of the Administrative Procedure Act to the functions exercised by the Renegotiation Board, to permit appeals from decisions of the Tax Court in renegotiation cases, and for other purposes; to the Committee on Ways and Means.

By Mr. LIBONATI:

H. R. 13093. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H. R. 13094. A bill to amend the Internal Revenue Code of 1954 so as to reduce the rate applicable to the first $1,000 of taxable income for taxable year 1958 and to repeal or reduce certain excise taxes; to the Committee on Ways and Means.

H. R. 13095. A bill to amend the Internal Revenue Code of 1954 so as to increase the amount of the personal exemption for taxable year 1958 and to repeal or reduce certain excise taxes; to the Committee on Ways and Means.

H. R. 13096. A bill to exclude from taxable income taxes imposed upon employees under the social security, railroad retirement, and civil service retirement systems; to the Committee on Ways and Means.

By Mr. MACDONALD:

H. R. 13097. A bill to authorize the construction and sale by the Secretary of Commerce of two trans-Atlantic superliners; to

the Committee on Merchant Marine and Fisheries.

By Mr. MOULDER:

H. R. 13098. A bill to authorize the coinage of special 50-cent pieces in commemoration of the 100th anniversary of the founding of Tipton, Mo., and the overland mail from Tipton, Mo., to San Francisco, Calif.; to the Committee on Banking and Currency.

By Mr. MULTER:

H. R. 13099. A bill to amend section 6 of the Federal Deposit Insurance Act to provide for the holding of public hearings in connection with the issuance of certain certificates and the making of certain findings and determinations and for other purposes; to the Committee on Banking and Currency.

By Mr. O'HARA of Illinois:

H. R. 13100. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PORTER:

H. R. 13101. A bill to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REES of Kansas:

H. R. 13102. A bill to repeal the transportation tax on property; to the Committee on Ways and Means.

H. R. 13103. A bill to repeal the tax on transportation of persons; to the Committee on Ways and Means.

By Mr. SADLAK:

H. R. 13104. A bill to amend the Tariff Act of 1930, as amended, by defining the term "ultimate purchaser" with respect to certain imported articles, and for other purposes; to the Committee on Ways and Means.

By Mr. ABBITT:

H. R. 13105. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers to deduct reforestation expenditures paid or incurred in connection with their business; to the Committee on Ways and Means.

By Mr. HAGEN:

H. R. 13106. A bill to provide that the Channel Islands off the coast of southern California shall be referred to as the Juan Rodrigues Cabrillo Islands; to the Committee on Interior and Insular Affairs.

H. R. 13107. A bill to amend title IV of the Housing Act of 1950 (college housing) with respect to the definition of "educational institution"; to the Committee on Banking and Currency.

By Mr. BROOKS of Louisiana:

H. R. 13108. A bill to provide for the erection of a Federal and post office building in Bossier City, La.; to the Committee on Public Works.

By Mr. DELLAY:

H. R. 13109. A bill to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs, and for other purposes; to the Committee on Education and Labor.

By Mr. DIXON:

H. R. 13110. A bill to amend the Internal Revenue Code of 1954 to assist small and independent businesses; to the Committee on Ways and Means.

By Mr. MILLER of New York:

H. J. Res. 632. Joint resolution designating the last Friday in April of every year as National Arbor Day; to the Committee on the Judiciary.

By Mr. PATMAN:

H. J. Res. 633. Joint resolution to designate the lake formed by the Ferrells Bridge Dam across Cypress Creek in Texas as Lake O' the Pines; to the Committee on Public Works.

By Mr. LANE:

H. Res. 600. Resolution providing for sending the bill H. R. 9392 and accompanying papers to the United States Court of Claims; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Res. 601. Resolution authorizing amounts for the further expenses of the study and investigation under authority of House Resolution 56, 85th Congress; to the Committee on House Administration.

By Mr. WALTER:

H. Res. 602. Resolution providing for the printing of additional copies of a reprint of a series of articles entitled "Chronicle of Treason"; to the Committee on House Administration.

H. Res. 603. Resolution providing for the printing of additional copies of the consultation entitled "What Is Behind the Soviet Proposal for a Summit Conference?"; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COUDERT:

H. R. 13111. A bill for the relief of Maria Esther Avello-Fernandez; to the Committee on the Judiciary.

By Mr. MACDONALD:

H. R. 13112. A bill for the relief of Anna Leone Magistris; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H. R. 13113. A bill for the relief of Lester M. Davidheiser; to the Committee on Armed Services.

By Mr. ROGERS of Florida:

H. R. 13114. A bill for the relief of Dr. Harry Charles Ruche; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 13115. A bill for the relief of Hoo W. Yuey; to the Committee on the Judiciary.

By Mr. ZELENKO:

H. R. 13116. A bill for the relief of Mr. and Mrs. Moses Glikowski; to the Committee on the Judiciary.

By Mr. WALTER:

H. J. Res. 634. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

H. J. Res. 635. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

H. J. Res. 636. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; to the Committee on the Judiciary.

By Mr. LANE:

H. Res. 604. Resolution providing for sending the bill H. R. 7686 and accompanying papers to the United States Court of Claims; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. Res. 605. Resolution providing for sending the bill H. R. 12470 for the relief of Willard L. Gleeson-Broadcasting Corporation of America, with accompanying papers, to the United States Court of Claims; to the Committee on the Judiciary.

# EXTENSIONS OF REMARKS

## Admiral Burke

EXTENSION OF REMARKS

OF

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 1958*

Mr. TEAGUE of Texas. Mr. Speaker, it was with a mingled feeling of chagrin and alarm that I read of the recent remarks of Secretary of Defense McElroy rebuking Adm. Arleigh Burke, Chief of Naval Operations, for his statements regarding the defense reorganization plan of the administration.

I am sure that it was just this kind of a situation the Congress had in mind when they voted again and again against the plan submitted by the President for the reorganization of the Defense Department.

Admiral Burke has a long and brilliant record in the Navy. Who, better than he, is in a better position to advise the Congress on defense matters; and who, better than he, could the Congress interrogate as to the defense reorganization. If the mouths of men such as Arleigh Burke would be sealed to the Congress, as they very well could be under the administration's proposal, where then would the Congress turn for information? It would be a one man show, and I for one am happy that the members of this body during the consideration of the defense reorganization measure stood up to the challenge and rebuked the administration's efforts to ramrod a bill through the House which I fear would have been disastrous insofar as our defense organization is concerned.

This outburst by Mr. McElroy coupled with his statement to the effect that he would not maintain the Department of the Army at present strength, even though the Congress appropriated the necessary money, proves to me that the President's plan was wrong.

## Action Taken by House of Representatives Will Help Preserve the Great American Game of Baseball

EXTENSION OF REMARKS

OF

### HON. EMMET F. BYRNE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 1958*

Mr. BYRNE of Illinois. Mr. Speaker, as the record will indicate, I am a devoted and longtime baseball enthusiast. I played ball and was in spring training with the Chicago White Sox when Big Ed Walsh was coach of our great Chicago White Sox.

The action taken by the House of Representatives yesterday will help preserve this great American game which is considered by many at home and abroad as America's favorite pasttime. I would vigorously oppose any regulations which are going to shackle our

fine organized sports. Sports have made the difference in many instances in whether a boy becomes a delinquent or whether he grows to be a man of honor and integrity. The youth of America can be proud of organized sports in the United States and I think every adult can tip their hat to the contribution of great magnitude made by organized sports in America. Sports have brought untold opportunities to many unfortunate young people and have removed many from obscurity to fame. To excell in any sport requires not only physical prowess but clean play.

In my opinion, organized sports are conducted ethically and should not be put in the position of being involved in years of costly, time-consuming and phlegmatic litigation. I believe those officials of organized sports have sufficient training and experience to know what is a reasonable practice. A great many of them have lived in the world of sports almost a lifetime. They sleep, eat, and think it.

As a lawyer of many, many years, I am fully aware that often justice is done or codes of ethics established only through the process of law with recourse to our courts. There are other fields where lessons are needed in reasonable practices and fair play but certainly I do not think organized sports is one of them. Let well enough alone.

## Senator John F. Kennedy Acclaimed at State Convention

EXTENSION OF REMARKS
OF
### HON. THOMAS P. O'NEILL, JR.
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. O'NEILL. Mr. Speaker, the distinguished Democratic Senator from Massachusetts, the Honorable JOHN F. KENNEDY, was endorsed for renomination at the Democratic State convention last Saturday in Boston. The delegates endorsed Senator KENNEDY by acclamation. I ask unanimous consent to include in the RECORD the nominating speech for Senator KENNEDY and given by our colleague in the Congress, the Honorable EDWARD P. BOLAND, from the Second Massachusetts District. In brief, easy, persuasive, and compelling fashion, Congressman BOLAND outlines the growth of Senator KENNEDY'S stature in the eyes of the people of his State and Nation. The address tells much in a few words. It points up the reasons for the meteoric success that has come to Senator KENNEDY. It dwells on the personal characteristics of this outstanding public figure that have made him the idol of his beloved Massachusetts as well as countless millions of people throughout the Nation.

NOMINATING SPEECH BY CONGRESSMAN EDWARD P. BOLAND DELIVERED TO DEMOCRATIC DELEGATES AT BOSTON ON JUNE 21, 1958

Mr. Chairman, distinguished members of the public service, candidates for office, my fellow delegates to this convention, at the outset, let me assure you that I am not and could not be insensible to the great honor which accompanies the very pleasant task to which I have been assigned, one which I enthusiastically undertake.

I am mindful, of course, that this is one of those occasions when words are unnecessary to convince you of the worth of him about whom I speak. During the 12 years he has devoted his exceptional talents to the public service, the people of Massachusetts have watched with pride the march of their Democratic Senator to a place of proud distinction, great achievement and unbounded popularity.

His career and background have been told and retold, published and republished. But they deserve to be resketched today, for they are the touchstone of his character, his ability, and his motivations.

A distinguished son of a distinguished family, he entered the Navy in 1941 and served until his medical discharge in 1945. The chronicle of his heroic efforts as a PT boat commander manifest the raw courage and leadership which, in later years, were to be the trademarks of his public service.

Naval history records that story. Listen as I repeat it in brief:

PT Boat 190, which he commanded, was patroling the waters of the mid-Solomon Islands. It was a dark starless night in August of 1943. Out of the gloom of night came a Japanese destroyer. It headed straight for 190 and cut her right in two. Men, water, oil, and fire were thrown in every direction. Half the PT boat sunk, half barely afloat but a haven for the lifejacketed survivors who were treading the water. Some could swim and others couldn't. These they towed to the bobbing hulk.

As dawn broke, the commander sighted some distant islands. He knew the closest were Japanese infested. The best chance for survival was to swim for the small island, 3 miles away. All started to swim, all but one. The commander took the strap of the Mae West jacket in his teeth, towing his injured shipmate, breaststroking through the water. His love for swimming and his training on the Harvard swimming team just a few years before were paying dividends. After 5 hours, the island was reached. The next 4 days, they moved from island to island with the commander constantly reconnoitering to assure their safety. Exhausted, injured, and sick, they were finally found by natives on the isle of Nauru. The commander scratched a message on a coconut shell and the natives carried it to Rendova where the PT boat was based.

I've seen the shell on his Washington desk, a grim reminder of how 11 men flirted with death and lived to tell about it, only because of the sheer determination and courage of their commander.

This was the event that sparked his desire to devote his whole life to the public service.

In 1946, he was elected to the national House of Representatives. He attracted national attention by the way he went about doing his job. The core of his activity was research and study—to find out, to know and to understand how to solve the problems of the people and his District. Here, indeed, was a man to be watched.

In 1952 he defeated one of the strongest Republican office holders in the history of the State and moved to the Senate. Now he was to relate the problems of the people, his District, and his State to the Nation and to the world. Again, it was study and research that were the hallmarks of his efforts. He has traveled to the corners of the globe—looking, asking, and listening—to develop a fuller knowledge and understanding of the problems that beset mankind. Today, he stands as a recognized authority, in and out of the Senate, in the field of foreign affairs. He knows his own State and his country. No one has worked harder or puts more time into his job than does he. I have walked by his office late at night and have seen the lights burning into the dawn as he prepares for the busy day ahead. I have watched him with visitors from our State, from the Senate gallery, and have welled with pride as he debated simple or complex problems. His legislative achievements need no translation here.

These you know well. They have been marked by a deep concern for mankind, to improve the lot of the American people, to bring a better understanding among the people of the world. These are the things that are best for his District, State, and Nation.

Despite the great demands on his time and talents, the untold hours he spends in the Senate and its committees, always he finds time to come back to the State, to visit every corner of it, to talk with any and everybody, to find out what's going on, to understand their problems. This, I am sure, is the bedrock of the love Massachusetts holds for him.

His activity, his record, his personality have galvanized the Democratic Party of this State into a vibrant, living, dynamic organization. He has fused new blood with old, he has combined the young with the experienced. That magnificent dinner last night gave ample proof of our party's strength. A spirit fills the air. Enthusiasm was never higher. Unity was never better.

I sense as you do that we are rallying to a cause that is even higher than our efforts here today. For the man for whom I speak has captured the hearts and continues to win the admiration of the Nation and the world. The puny political tricks, the well planned, preconceived carefully worked out schemes to undercut him cannot and will not succeed.

He has brought honors, like trophies, home to Massachusetts.

Distinguished in war and in peace, inspiring product of American citizenship, a man experienced in government, dedicated to the people, steadfast in integrity, a man to whom the Nation looks with soaring hope as a leader in the perilous, nuclear age the world has entered.

With pride, I place before you for renomination to the United States Senate a man brilliant, as a rising star, with his own accomplishments and with the hopes of us all, one already being hailed by the Nation as the next Democratic President of the United States, the Honorable JOHN F. KENNEDY.

## Summary of Veterans' Legislation Reported, 85th Congress

EXTENSION OF REMARKS
OF
### HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks, I include a summary of veterans' legislation reported thus far in the 85th Congress. I have received numerous requests from Members concerning the work of the committee thus far and I take this means of making it available:

SUMMARY OF VETERANS' LEGISLATION REPORTED, 85TH CONGRESS

LAWS ENACTED

Public Law 85-24: Provides that pension under public or private laws administered by the Veterans' Administration shall not be paid to an individual who has been imprisoned in a Federal, State, or local penal institution as a result of conviction for a felony

or misdemeanor for any part of the period beginning on the 61st day after his imprisonment and ending when the imprisonment ends. Apportionment of pension may be made to dependents under certain conditions.

Public Law 85–56: Incorporates into a single act the subject matter of the extensive body of existing legislation authorizing and governing the payment of compensation for service-connected disability or death to persons who served in the Armed Forces of the United States during a period of war, armed conflict, or peacetime service, and to their widows, children, and dependent parents. Provides the same sort of consolidation of the laws relating to pension, hospitalization, medical and domiciliary care, and burial benefits. Consolidates into one act all the administrative provisions relating to these benefits, as well as those common to all benefits administered by the Veterans' Administration. Also incorporates the provisions of existing law relating to the ancillary benefits of financial assistance for specially adapted housing and automobiles for certain disabled veterans. Repeals those provisions of law relating to such benefits which are obsolete, executed, or restated in substance in the bill.

Public Law 85–168: Effective October 1, 1957, increases rates of compensation for service-connected disabilities as indicated on the following table of wartime rates:

| | Prior law [1] | Public law 85–168 |
|---|---|---|
| (*a*) 10 percent disability | $17.00 | *$19.00* |
| (*b*) 20 percent disability | 33.00 | *36.00* |
| (*c*) 30 percent disability | 50.00 | *55.00* |
| (*d*) 40 percent disability | 66.00 | *73.00* |
| (*e*) 50 percent disability | 91.00 | *100.00* |
| (*f*) 60 percent disability | 109.00 | *120.00* |
| (*g*) 70 percent disability | 127.00 | *140.00* |
| (*h*) 80 percent disability | 145.00 | *160.00* |
| (*i*) 90 percent disability | 163.00 | *179.00* |
| (*j*) Total disability | 181.00 | *225.00* |
| (*k*) Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, rates (*a*) to (*f*) increased monthly by | 47.00 | *47.00* |
| Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, in addition to requirement for any of rates in (*l*) to (*n*), rate increased monthly for each loss or loss of use by | 47.00 | [2] *47.00* |
| (*l*) Anatomical loss, or loss of use of both hands, or both feet, or 1 hand and 1 foot, or blind both eyes with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, monthly compensation | 279.00 | *309.00* |
| (*m*) Anatomical loss, or loss of use of 2 extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, or suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, monthly compensation | $329.00 | *$359.00* |
| (*n*) Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prosthetic appliance, or suffered anatomical loss of both eyes, monthly compensation | 371.00 | *401.00* |
| (*o*) Suffered disability under conditions which would entitle him to 2 or more rates in (*l*) to (*n*), no condition being considered twice, or suffered total deafness in combination with total blindness with 5/200 visual acuity or less, monthly compensation | 420.00 | *450.00* |
| (*p*) In event disabled person's service-incurred disabilities exceed requirements for any of rates prescribed, Administrator, in his discretion, may allow next higher rate, or intermediate rate, but in no event in excess of | 420.00 | *450.00* |
| (*q*) Minimum rate for arrested tuberculosis | 67.00 | *67.00* |

[1] Peacetime rates are 80 percent of wartime rates.

[2] But in no event to exceed $450.

*Additional disability compensation because of dependents* [1]

| | Wife, no child | Wive, 1 child | Wive, 2 children | Wife, 3 or more children | No wife, 1 child | No wife, 2 children | No wife, 3 or more children | Dependent parent or parents |
|---|---|---|---|---|---|---|---|---|
| Service on or after June 27, 1950<br>World War II<br>World War I<br>Spanish-American War, Philippine Insurrection, Boxer Rebellion<br>Civil War<br>Indian wars<br>Peacetime service (under combat or extrahazardous conditions) | $21.00<br>*23.00* | $35.00<br>*39.00* | $45.50<br>*50.00* | $56.00<br>*62.00* | $14.00<br>*15.00* | $24.50<br>*27.00* | $35.00<br>*39.00* | $17.50 (1)<br>*19.00*<br>35.00 (2)<br>*38.00* |
| Regular peacetime service | 16.80<br>*18.00* | 28.00<br>*31.00* | 36.40<br>*40.00* | 44.80<br>*50.00* | 11.20<br>*12.00* | 19.60<br>*22.00* | 28.00<br>*31.00* | 14.00 (1)<br>*15.00*<br>28.00 (2)<br>30.00 |

[1] Above rates are for 100-percent disability. If and while rated partially disabled, but not less than 50 percent, additional compensation is authorized in an amount having the same ratio to the amount specified in the applicable table, above, as the degree of disability bears to the total disability; e. g., war service-connected disability of 50 percent, compensation rate, $100. If veteran has a wife, his compensation is increased as follows: $100+$11.50=$111.50.

NOTE.—Rates in italic as in Public Law 85–168.

Public Law 85–171: Permits forwarding of all types of Veterans' Administration benefit checks where the person has moved and left a forwarding address instead of the prior requirement of returning the check to the Veterans' Administration.

Public Law 85–194: Increases from $10 to $25 the maximum amount that may be paid by VA for shipping charges on personal property of deceased veterans who die on VA property.

Public Law 85–200: Terminates, 60 days after enactment, the operation of the Veterans' Education Appeals Board and transfers its records to Archives.

Public Law 85–209: Section 1 provides a uniform alternative marriage date requirement for widows applying for pension or compensation. It provides that a widow who does not otherwise meet the applicable delimiting marriage dates as presently existing in the law be eligible for pension or for compensation if she was married to the veteran for 5 or more years or for any period of time if children were born as a result of the marriage. Section 2 permits women to receive pension, compensation, or other gratuitous benefits based on the service of a veteran even though there was a legal impediment to her marriage to the veteran which she entered into without any knowledge of such legal impediment, if other requirements are satisfied.

Public Law 85–311: This law excludes from computation as annual income in determining eligibility for non-service-connected disability or death pension as well as service-connected death compensation or dependency or indemnity compensation for parents, any payment of veterans' bonus by a State, Territory, possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico, based on service in the Armed Forces of the United States and their widows and children.

Public Law 85–364: (While this law was a general housing act and considered by another committee, it contained the substance of H. R. 4602 which was reported by this committee and was vetoed in 1957.)

1. Repeals section 512 of the Servicemen's Readjustment Act, the present direct loan program, and substitutes a new section, establishing a new policy and program for 2 years.

2. Congressional intent as to declaration of direct loan areas is expressed to include small cities, towns, and rural areas. Thirty thousand is used as a guideline where the town is not part of the metropolitan area of a big city. VA can declare a larger town on the basis of a historical shortage of mortgage funds.

3. Authorizes $150 million for the period July 1, 1958, to July 25, 1959, and a like amount for the period July 25, 1959, to July 25, 1960.

4. Increases the amount of direct loans from $10,000 to $13,500.

5. Provides for an advance commitment to a builder upon the payment of a commitment fee of 2 percent of the amount of the loan. The commitment to be valid for 3 months and subject to extension if the builder is active and has contracted with an eligible veteran. This provision will provide a means under which builders can obtain financing for new construction in small cities, towns, and rural areas.

6. Provides that the Administrator shall continue processing the direct loan of the veteran without delay, submitting the information to the voluntary home mortgage credit program and giving that agency up to 60 days after the loan is closed to find a lender to buy the loan from the Veterans' Administration. Also gives the Administrator the authority to transfer the commitment fee paid by the builder to the private lender who purchases the loan.

7. Provides that the Administrator may make construction advances to the veteran and builder during construction, thereby eliminating the necessity of the builder obtaining a construction loan.

8. Provides discretionary authority to the Administrator to exempt new construction

under this section from the subdivision and land planning requirements. Permits the building of homes in keeping with the area in which they are located, thereby eliminating the Veterans' Administration's present demands that a builder, building in a country town, must pave the streets, install curbs and gutters in front of the house, that being the only place in the town in which that type of improvement is done. The bill does not permit any deviations from the Veterans' Administration minimum construction requirements.

9. Extends the loan-guaranty program for 2 years, from July 25, 1958, and authorizes the Administrator of Veterans' Affairs to set an interest rate not in excess of 4¾ percent.

10. Includes a technical correction requested by Veterans' Administration with reference to the guaranteeing of automatic loans.

11. Repeals law relating to mortgage loan discounts.

12. Lowers the minimum downpayments required for FHA housing as indicated in the following table:

| FHA approved value | Prior law | | Public Law 85-364 | | FHA approved value | Prior law | | Public Law 85-364 | |
|---|---|---|---|---|---|---|---|---|---|
| | Amount | Percent | Amount | Percent | | Amount | Percent | Amount | Percent |
| $10,000 | $300 | 3.0 | $300 | 3.0 | $18,000 | $1,800 | 10.0 | $1,380 | 7.7 |
| $11,000 | 450 | 4.0 | 330 | 3.0 | $19,000 | 2,100 | 11.0 | 1,680 | 8.8 |
| $12,000 | 600 | 5.0 | 360 | 3.0 | $20,000 | 2,400 | 12.0 | 1,980 | 9.9 |
| $13,000 | 750 | 5.7 | 390 | 3.0 | $21,000 | 2,700 | 12.8 | 2,280 | 10.9 |
| $13,500 | 825 | 6.1 | 405 | 3.0 | $22,000 | 3,000 | 13.6 | 2,580 | 11.7 |
| $14,000 | 900 | 6.4 | 480 | 3.4 | $23,000 | 3,300 | 14.3 | 3,000 | 13.0 |
| $15,000 | 1,050 | 7.0 | 630 | 4.2 | $24,000 | 4,000 | 16.7 | 4,000 | 16.7 |
| $16,000 | 1,200 | 7.5 | 780 | 4.9 | $25,000 | 5,000 | 20.0 | 5,000 | 20.0 |
| $17,000 | 1,500 | 8.8 | 1,080 | 6.4 | | | | | |

13. Authorizes an additional $1.55 billion for the Federal National Mortgage Association to use in purchasing FHA and VA mortgages ($500 million to be allocated by the President, $25 million for regular military housing mortgages, $25 million for housing at research and development centers, and $1 billion for new FHA and VA mortgages not exceeding $13,500).

14. Authorizes an interest-rate ceiling of 4½ percent for military housing mortgages.

Public Law 85-425 (effective July 1, 1958): In addition to providing monthly pension of $101.59 or $135.45 (aid and attendance rate) for 2 Confederate veterans, it provides pensions for dependents of veterans as indicated in table below:

| For non-service-connected deaths | Widow | Widow age 70 | If widow was wife of veteran during service | Widow, 1 child | Each additional child | No widow, 1 child | No widow, 2 children | No widow, 3 children | Each additional child |
|---|---|---|---|---|---|---|---|---|---|
| Mexican War | $65.00 | | | | | | | | |
| Spanish-American War, Philippine Insurrection, Boxer Rebellion | 65.00 | | $75.00 | $73.13<br>83.13 | $8.13 | $73.13 | $81.26 | $89.39 | $8.13 |
| Civil War,[1] Indian Wars | 40.64 | $65.00 | 75.00 | 48.77<br>73.13<br>83.13 | 8.13 | 73.13 | 81.26 | 89.39 | 8.13 |

[1] Includes widows and children of Confederate veterans.

Public Law 85-460: This bill amends the definition of the term "State" as set forth in the Veterans' Readjustment Assistance Act of 1952, Public Law 550, 82d Congress (GI bill of rights for Korean veterans), and the War Orphans' Educational Assistance Act of 1956, Public Law 634, 84th Congress, in order to make clear that the benefits of those acts may be given to persons pursuing a course of education and training in the Panama Canal Zone. It also authorizes training under Public Law 634 in the Republic of the Philippines.

Public Law 85-461: Authorizes modification and extension of the program of grants-in-aid to the Republic of the Philippines for hospitalization of certain veterans, to—

(1) Permit use of Veterans' Memorial Hospital for cases other than those involving service-connected disabilities.

(2) Permit treatment of service-connected veterans on out-patient basis.

(3) Extend period of assistance from December 31, 1959, to June 30, 1963.

(4) Place overall ceiling of $2 million on expenditures for this purpose in any 1 year.

(5) Grants hospitalization (service-connected and non-service-connected) to American veterans residing in the Philippines on a permanent or temporary basis.

Public Law 85-462: Section 5 of this act incorporates the general approach provisions of H. R. 6719 reported by this committee. It provides adjustments in organization and salary structure of the Department of Medicine and Surgery in the Veterans' Administration, as indicated in the table below:

| | Present salary | Public Law 85-462 | | Present salary | Public Law 85-462 |
|---|---|---|---|---|---|
| Chief Medical Director | $17,800 | $19,580 | Deputy Director, Nursing Service | $10,320 | $11,355-$12,555 |
| Deputy Chief Medical Director | 16,800 | 18,480 | Chief Dietitian | 10,320 | 12,770- 13,970 |
| Assistant Chief Medical Director | 15,800 | 17,380 | Chief Pharmacist | 10,320 | 12,770- 13,970 |
| Director of Service | $13,225- 14,300 | $14,545- 16,500 | Chief Physical Therapist | 10,320 | 11,355- 12,555 |
| Director, Nursing Service | 11,610 | 12,770- 13,970 | Chief Occupational Therapist | 10,320 | 11,355- 12,555 |

| Grade | Present salary | | Public Law 85-462 | |
|---|---|---|---|---|
| | Nonspecialist | Specialist (25 percent) | Nonspecialist | Specialist (15 percent) |
| Physicians and dentists: | | | | |
| Chief | $11,610-$12,685 | $13,760 | $12,770-$13,970 | Not to exceed $16,000 |
| Senior | 10,320- 11,395 | $12,900- 13,760 | 11,355- 12,555 | Not to exceed $16,000 |
| Intermediate | 8,990- 10,065 | 11,238- 12,581 | 9,890- 11,090 | Not to exceed $16,000 |
| Full | 7,570- 8,645 | 9,463- 10,806 | 8,330- 9,530 | Not to exceed $16,000 |
| Associate | 6,390- 7,465 | | 7,030- 8,230 | |
| Junior | 5,915- 6,720 | | 6,505- 7,405 | |
| Nurses: | | | | |
| Assistant director | $7,570-$8,645 | | $8,330-$9,530 | |
| Senior | 6,390- 7,465 | | 7,030- 8,230 | |
| Full | 5,540- 6,250 | | 5,985- 6,885 | |
| Associate | 4,730- 5,590 | | 5,205- 6,165 | |
| Junior | 4,025- 4,885 | | 4,425- 5,385 | |

| | Present salary | Public Law 85-462 |
|---|---|---|
| Lay managers: | | |
| GS-16 | $12,900-$13,760 | $14,190-$15,150 |
| GS-15 | 11,610- 12,690 | |
| GS-14 | 10,320- 11,395 | |
| GS-13 | 8,990- 10,065 | |

Also recognizes optometrists as scientific and professional personnel in the Department of Medicine and Survery.

BILLS PASSED BY THE HOUSE AND PENDING IN SENATE COMMITTEES

*Finance Committee*

H. R. 76: Provides that the statutory award rate of $47 for service-connected disability shall be awarded in the case of each loss—for example, the loss or loss of use of the hand, foot, or an eye, or creative organ. The present law provides for only one such award of $47 in addition to the award under the basic compensation structure.

H. R. 1264: Provides that when the veteran is in the hospital for tuberculosis he shall be eligible for payment of a non-service-connected disability pension based on the presumption that he is totally disabled. The present regulation permits payment only after 6 months has elapsed. For most other diseases for which the veteran may be hospitalized, pension is payable immediately upon a finding of total disability without the elapsing of any particular period of time.

H. R. 9700: Incorporates into a single act the subject matter of Public Law 85-56, together with the extensive body of existing legislation governing education and training benefits for veterans and war orphans; dependency and indemnity compensation for survivors; Government insurance; vocational rehabilitation; guaranteed, insured, and direct loans for homes, farms, or businesses; and Federal aid to State soldiers' homes. In addition, the bill covers the subjects of unemployment compensation (administered by the Department of Labor) and mustering-out payments (administered by the military departments). Effective from January 1, 1959.

H. R. 11382: The bill would permit a section 621 policyholder (insurance taken out between April 25, 1951, and December 31, 1956) three choices:

1. Maintain his present term policy at the Commissioners Standard Ordinary premium rates.

2. Exchange his present policy for a limited convertible term policy with lower premiums based on the new X-18 table. Such policy would not be renewed after age 50 or 2 years after the effective date of this legislation.

3. Convert to a permanent-type policy with premiums based on the X-18 table.

The table which follows shows for ages 20 through 60 the premiums for the various types of policies which will be available to the insured.

*Annual premiums per $1,000 of insurance based on table X-18 and 2½ percent interest*

| Age | 5-year level premium term | Ordinary life | 20-pay life | 30-pay life | 20-year endowment | Endowment at age 60 | Endowment at age 65 | Age | 5-year level premium term | Ordinary life | 20-pay life | 30-pay life | 20-year endowment | Endowment at age 60 | Endowment at age 65 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 20 | $0.83 | $9.73 | $17.92 | $13.53 | $38.80 | $15.66 | $13.53 | 41 | $3.20 | $20.76 | $30.02 | $23.61 | $41.29 | $43.66 | $33.93 |
| 21 | .83 | 10.09 | 18.39 | 13.76 | 38.80 | 16.26 | 14.00 | 42 | 3.56 | 21.59 | 30.85 | 24.44 | 41.53 | 46.63 | 35.83 |
| 22 | .95 | 10.44 | 18.75 | 14.12 | 38.80 | 16.97 | 14.48 | 43 | 3.92 | 22.54 | 31.68 | 25.15 | 41.88 | 49.95 | 37.97 |
| 23 | .95 | 10.68 | 19.22 | 14.48 | 38.80 | 17.68 | 15.07 | 44 | 4.39 | 23.49 | 32.63 | 26.10 | 42.36 | 53.75 | 40.22 |
| 24 | .95 | 11.03 | 19.70 | 14.83 | 38.80 | 18.39 | 15.66 | 45 | 4.86 | 24.44 | 33.46 | 26.93 | 42.71 | 58.02 | 42.71 |
| 25 | .95 | 11.51 | 20.17 | 15.19 | 38.92 | 19.10 | 16.26 | 46 | 5.34 | 25.51 | 34.41 | 27.88 | 43.19 | 62.89 | 45.56 |
| 26 | .95 | 11.87 | 20.65 | 15.54 | 38.92 | 19.93 | 16.97 | 47 | 5.93 | 26.70 | 35.48 | 28.83 | 43.78 | 68.46 | 48.65 |
| 27 | 1.07 | 12.22 | 21.12 | 16.02 | 39.04 | 20.88 | 17.56 | 48 | 6.64 | 27.88 | 36.55 | 29.90 | 44.38 | 74.99 | 52.09 |
| 28 | 1.07 | 12.70 | 21.59 | 16.37 | 39.04 | 21.83 | 18.39 | 49 | 7.24 | 29.07 | 37.61 | 30.97 | 44.97 | 82.58 | 56.00 |
| 29 | 1.07 | 13.17 | 22.19 | 16.85 | 39.16 | 22.78 | 19.10 | 50 | 8.07 | 30.38 | 38.68 | 32.15 | 45.68 | 91.84 | 60.39 |
| 30 | 1.19 | 13.65 | 22.66 | 17.32 | 39.16 | 23.85 | 19.93 | 51 | 8.90 | 31.80 | 39.87 | 33.46 | 46.39 | 102.99 | 65.38 |
| 31 | 1.19 | 14.12 | 23.26 | 17.68 | 39.27 | 25.04 | 20.76 | 52 | 9.73 | 33.22 | 41.17 | 34.77 | 47.22 | 116.99 | 71.07 |
| 32 | 1.31 | 14.71 | 23.85 | 18.15 | 39.39 | 26.34 | 21.71 | 53 | 10.68 | 34.88 | 42.48 | 36.19 | 48.17 | 134.79 | 77.72 |
| 33 | 1.42 | 15.19 | 24.44 | 18.75 | 39.51 | 27.65 | 22.78 | 54 | 11.87 | 36.43 | 43.90 | 37.73 | 49.12 | 158.52 | 85.43 |
| 34 | 1.54 | 15.78 | 25.04 | 19.22 | 39.63 | 29.07 | 23.85 | 55 | 13.05 | 38.21 | 45.33 | 39.27 | 50.19 | 191.74 | 94.80 |
| 35 | 1.66 | 16.37 | 25.75 | 19.81 | 39.87 | 30.73 | 24.92 | 56 | 14.24 | 39.99 | 46.99 | 41.05 | 51.38 | 241.34 | 106.08 |
| 36 | 1.90 | 17.09 | 26.34 | 20.41 | 39.99 | 32.39 | 26.22 | 57 | 15.66 | 42.00 | 48.65 | 42.83 | 52.68 | 323.92 | 120.20 |
| 37 | 2.02 | 17.68 | 27.05 | 21.00 | 40.22 | 34.29 | 27.53 | 58 | 17.32 | 44.02 | 50.31 | 44.73 | 54.11 | 488.85 | 138.23 |
| 38 | 2.37 | 18.39 | 27.76 | 21.59 | 40.46 | 36.31 | 28.95 | 59 | 18.98 | 46.27 | 52.21 | 46.87 | 55.53 | 982.68 | 162.20 |
| 39 | 2.61 | 19.22 | 28.48 | 22.19 | 40.70 | 38.44 | 30.59 | 60 | 20.76 | 48.53 | 54.22 | 49.12 | 57.19 | ---------- | 195.54 |
| 40 | 2.85 | 19.93 | 29.31 | 22.90 | 40.94 | 40.94 | 32.04 | | | | | | | | |

H. R. 11577: Amends the National Service Life Insurance Act of 1940 to accomplish the following:

1. Increase from $5 to $10 per month for each $1,000 insurance in force the amount of total disability income protection which may be purchased by insureds;

2. Provide for the first time for the addition of a total disability income rider to policies of insurance issued under section 621 of the act; and

3. Permit holders of policies with existing $5 total disability income riders who are in good health and otherwise qualify to surrender their $5 rider and add the $10 provision to their policies.

House Joint Resolution 73: The purpose of this resolution is to provide service pension under the conditions and at the rate prescribed by the laws reenacted by Public No. 269, 74th Congress, August 13, 1935, as now or hereafter amended, for any person who served in the Armed Forces of the United States in the Moro Province, including Mindanao, or in the islands of Leyte and Samar, after July 4, 1902, and prior to the first day following the last armed engagement between such armed forces and inhabitants of the Philippine Islands in the province or island in which he served, and who was honorably discharged from the enlistment in which such service occurred, and to the surviving unremarried widow, child, or children of such person. No pension would be paid for service after December 31, 1913. The pension rates currently payable to veterans and their dependents under the mentioned laws are as indicated in the following table:

| Type of benefit | 90 days' or more service; or less if discharged for disability incurred in service in line of duty | 70 to 89 days' service | Type of benefit | 90 days' or more service; or less if discharged for disability incurred in service in line of duty | 70 to 89 days' service |
|---|---|---|---|---|---|
| A. Veterans' benefits: | | | B. Dependents' benefits: | | |
| Age 62 or more, or 10 percent or more disabled | $101.59 | $67.73 | Widows | $54.18 | (1) |
| Helpless or blind or so nearly helpless or blind as to require regular aid and attendance | 135.45 | 88.04 | Wife during service | 67.73 | (1) |
| | | | Additional for each child | 8.13 | (1) |
| | | | Children, no widow: | | |
| | | | 1 child | 62.31 | (1) |
| | | | Each additional child | 8.13 | (1) |

[1] No provision.

*Labor and Public Welfare*

H. R. 9369: Authorizes refunds of premiums paid by the VA in behalf of servicemen who had commercial insurance guaranteed during the period 1940-42. Premiums were later collected from policyholders. This bill would authorize repayment, pursuant to Supreme Court decision, of approximately $1,600,000 to 8,440 individuals.

BILLS PASSED BY THE SENATE AND PENDING IN HOUSE COMMITTEE ON VETERANS' AFFAIRS

S. 166: Extends for a period of 2 years the laws granting educational and training benefits to veterans of World War II who were prevented from entering or completing such training within the prescribed time because such person had not met the nature of discharge requirements of the Servicemen's Readjustment Act prior to a change, correction, or modification of a discharge or dismissal, or the correction of a military or naval record.

S. 1698: Extends the time for filing claims for mustering-out payments under the Veterans' Readjustment Assistance Act of 1952 to July 16, 1959 (now July 16, 1956).

REPORTED AND PENDING ON HOUSE CALENDARS

*Union Calendar*

H. R. 5930: Amends the War Orphans' Educational Assistance Act of 1956 to provide educational assistance thereunder to the children of veterans who are permanently and totally disabled from wartime service-connected disabilities. Grants educational assistance on the same basis as provided by the War Orphans' Educational Assistance Act of 1956, Public Law 634, 84th Congress. That law is limited to the children of individuals who died from an injury incurred in, or aggravated by, service in the Armed Forces during World War I, World War II, or Korea. Funds for operation of program to be obtained from assets accruing to Government from Trading With the Enemy Act.

(NOTE.—The Committee on Veterans' Affairs has reported 5 bills (4 enacted into law) which convey land either to the Veterans' Administration or from the Veterans' Administration to certain municipalities, etc.)

*Veterans' Administration appropriations*

[Fiscal year ending June 30, 1959]

| | H. R. 11574 as passed Senate June 10, 1958 | | H. R. 11574 as passed Senate June 10, 1958 |
|---|---|---|---|
| General operating expenses | $149, 582, 000 | Veterans' insurance and indemnities | $51, 100, 000 |
| Medical administration and miscellaneous operating expenses | 28, 281, 000 | Construction of hospitals and domiciliary facilities | 19, 445, 000 |
| Inpatient care | 717, 267, 000 | Grants to the Republic of the Philippines | 1, 250, 000 |
| Outpatient care | 75, 798, 000 | Service disabled veterans insurance fund | |
| Maintenance and operation of supply depots | 2, 110, 000 | Automobiles and other conveyances for disabled veterans | |
| Compensation and pensions | 3, 200, 000, 000 | | |
| Readjustment benefits | 700, 000, 000 | Total | 4, 944, 833, 000 |

*Summary of committee action*

| | Congress | | | | | | | Congress | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 80th | 81st | 82d | 83d | 84th | 85th, through June 20, 1958 | | 80th | 81st | 82d | 83d | 84th | 85th, through June 20, 1958 |
| Bills and resolutions referred | 498 | 619 | 436 | 402 | 537 | 474 | Pending in Senate committees | 6 | 16 | 14 | 2 | 17 | 7 |
| Hearings | 60 | 64 | 50 | 46 | 71 | 58 | Bills on Senate Calendar | | 1 | 1 | 2 | | |
| Hearings, printed pages | 3, 596 | 2, 355 | 2, 562 | 5, 337 | 4, 271 | 3, 922 | Recommitted | | 1 | 1 | | | 1 |
| Executive sessions | 49 | 34 | 27 | 55 | 37 | 26 | Bills vetoed | 1 | 2 | 4 | | | 1 |
| Bills reported | 60 | 44 | 36 | 36 | 48 | 28 | Bills passed over veto | | 1 | 2 | | | |
| Bills on House Calendar | 16 | 1 | | 14 | 1 | 3 | Laws enacted | 36 | 24 | 22 | 25 | 30 | 15 |

FUND-RAISING INVESTIGATION

Pursuant to House Resolution 65, approved by the House on February 7, 1957, the committee has conducted an investigation of fund-raising activities of veterans' groups or by organizations allegedly acting in their behalf. Hearings held over a 2-month period, resulting in the publication of over 1,000 pages of testimony, attest to the thorough consideration which this subject has had. A report containing conclusions and recommendations is in preparation.

## Amending Atomic Energy Act of 1954

EXTENSION OF REMARKS

OF

### HON. LESTER HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 1958*

Mr. HOLTZMAN. Mr. Speaker, I was not sure how I would vote when I came on the House floor to listen to the debate on the bill to amend the Atomic Energy Act, H. R. 12716, to permit greater exchange of military information and material with our allies.

However, I decided to support the measure, with reservations, because of the safeguards which have been incorporated in the bill, and which will prevent the wholesale distribution of our atomic secrets and knowledge, thus making it more acceptable than the original bill.

At the present time, it seems that only Great Britain will be eligible to share in this exchange, although other allied nations would be eligible for certain information or material in the future, provided specific conditions and safeguards are met.

That fact, together with the fact that the Congress will have the ultimate say on any international agreement which involves the transfer of such material or information, assures me that any such proposed exchange will have the appropriate and serious consideration it warrants.

The bill would permit a freer and greater exchange of military information and material, and it is felt that it will contribute to the stronger mutual defense of the Free World.

I know that the Joint Committee on Atomic Energy realizes the grave responsibility placed upon it and the Congress in assuming the final determination on matters which so vitally affect the very fate of mankind. And, I am doubly convinced that this discretionary power should be retained by the Congress, and should not rest in the hands of the executive branch. The Congress, with its Members the elected representatives of the people, more closely and directly reflects the will of the people.

I have said many times before that the United Nations is, in my opinion, the only real machinery for peace. Through the U. N. we must continue to strengthen our efforts to eliminate war and strife, and to build a better world through international peace and security.

It is high time that we approach this problem from a sane viewpoint. It is true that the time has come to diminish efforts solely along the military line, rather than step them up. However, the action we have taken here in the House of Representatives in an attempt to preserve the peace and security of the Free World will result in stiffening the back of our allies, especially in the NATO countries, and will, in the long run do much to contribute to an eventual betterment of international relations, and the advancement of the welfare of all mankind.

## Concerts by Benny Goodman at the Brussels Fair

EXTENSION OF REMARKS

OF

### HON. HOMER E. CAPEHART

OF INDIANA

IN THE SENATE OF THE UNITED STATES

*Tuesday, June 24, 1958*

Mr. CAPEHART. Mr. President, I ask unanimous consent that a statement I have prepared regarding the concerts recently given by Benny Goodman at the Brussels Fair be printed in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT

Recently we have seen an example of how private enterprise can help in the task of giving the people of other lands a better impression of America, Americans and things unique to our culture and way of life.

I refer to concerts by the noted American musician, Benny Goodman at the Brussels Fair. These Benny Goodman concerts were not part of a Government program. They were sponsored and produced by the Westinghouse Broadcasting Co. as a public service.

Thousands of Europeans crowded into the American pavilion at the Brussels Fair to hear Goodman.

Thousands more attended an open-air concert given by Goodman in Brussels.

The idea behind these concerts was very simple—to export one of America's great commodities, jazz, for the enjoyment of European visitors to the Brussels Fair and to help get across the American message of good will.

The fact that great crowds attended the concerts attests to their success, Mr. President. I think that the Westinghouse Broadcasting Co. should be commended for the public service it has rendered and for demonstrating that private industry can achieve with good will and imagination what vast government-sponsored programs often cannot achieve—the bringing of people together for better understanding.

## Excise Taxes on Freight and Passenger Transportation

EXTENSION OF REMARKS
OF
### HON. EMMET F. BYRNE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. BYRNE of Illinois. Mr. Speaker, this session I introduced two bills which are close to me because they are close to the well-being of not only the people in the Third District of Illinois located on Chicago's southwest side but because they affect the people of America. I direct your attention to H. R. 12307 which I introduced on May 1 and to H. R. 12488 introduced by me on May 13. These bills provide for repealing the retailers and manufacturers excise taxes and the excise taxes on facilities and services and strengthening and modernizing our transportation system. In my opinion, we cannot very well enact one measure without the other.

I would like to address myself on the subject of the excise tax on freight and passenger transportation. This tax is a Jekyll and Hyde tax from which the taxpayer cannot escape, coming or going. There is no limitation on this tax as there is in the income tax. If the taxpayer wants to live, he must accept the excise tax. Most of us in this body know the origin of this tax. When the tax was imposed, times were different. We had war and other emergencies. I was not privileged to be a Member of the House then but I well recall the birth of the excise tax. We were told then that imposing excise taxes was a temporary measure and they would be removed when the occasion and circumstances permitted. Many good things have transpired since then but we still have the excise tax. I am beginning to believe that to remove or repeal an act enacted as temporary is a superhuman task but to do away with something which is the quintessence of American thought and principle can be accomplished with one quick blow. I want this situation reversed.

When I introduced my railroad bill in the House, I had in mind that Senator SMATHERS' Subcommittee on Surface Transportation needed companionship on this side of the Capitol. I have followed the actions on S. 3778 carefully. Coming from Chicago, the railroad center of the Nation, I am admittedly prejudiced in favor of enacting the necessary legislation which will put this great industry on a sound operating basis again. Railroads in Illinois bear a tremendous tax load. For example: In 1957 the tax burden borne by Illinois railroads amounted to $39,500,000 which is the equivalent of $3,500 for every mile of railroad in the State. In Chicago, the municipally owned Midway Airport pays no taxes, yet the railroads' Union Station last year paid $913,000 in taxes. In 1956, the Pennsylvania Railroad alone lost $10.6 million handling United States mail at Government prescribed rates.

However, I am not here to contrast the burdens or contributions, the pros or cons of one transportation system over another nor to advocate any discriminatory legislation. Legislation of this variety is not good legislation and only portends trouble for the future. I do not think we can procrastinate in enacting legislation which will enable our railroads to continue to operate and thereby contribute to strengthening our economy without dire results.

As I view the problems confronting one of our vital carrier systems, I believe the first thing that we must do is to remove the existing excise tax on freight and passenger transportation. Repeal of this tax would contribute beyond any doubt toward minimizing cost of living for all taxpayers. Prices on countless necessities of life would be reduced by the manufacturers if they had no excise tax to pay on transporting these items by common freight carrier.

Since introducing H. R. 12488 and H. R. 12307 I have been stopped by many of my colleagues commending me on this legislation. I might also say that many staff members from the offices of my colleagues have taken me to task in a nice manner for being the cause of such a deluge of mail which they have had to answer on H. R. 12488, my railroad bill. One member told me he didn't believe there had been as heavy mail on any subject as on the railroad bill since the time General MacArthur was dismissed. This is indicative that the people of this great country are concerned and sympathetic to sound railroad legislation. They have demanded Congress do something. This indicates too that this is no partisan issue. Thirty-one legislatures or assemblies out of 48 States have passed resolutions clamoring for Congress to repeal the excise taxes on freight and passenger travel. This is a cue we cannot ignore.

In a manner, the excise tax on freight is a double taxation. Why? Simply because it taxes not only the specific article but requires that a tax be paid on transporting the item. Freight transportation taxes apply not merely to luxury items on which there is already an individual luxury tax, but to basic things. To mention a few, I name steel, lumber, cement, nails. All items which are fundamental to Americans. In making my plea strike even closer to our hearts I want to say that we pay this excise tax on medicine used at home or in the hospitals, as well as on food, clothing. Whenever an article is transported or shipped by a common carrier one knows automatically that there is a built-in excise tax included in the price.

This aspect of the excise tax imposed on all forms of common-carrier transportation distinguishes this tax from all other excise taxes. In reality, it touches all things and all people. It is paid many times by the taxpayer. He pays 3 percent on raw materials which are shipped; he pays 3 percent when the finished product is shipped back to him; he pays 3 percent when the article or product is transported to the retail market for the consumer. There is no escape unless the individual wishes to forget about feeding, clothing, housing, and giving medical attention to his family.

In view of the many sound reasons given in committee hearings by men of known ability and integrity, noting the favorable arguments given in the Senate and the House on this subject of repealing the excise tax on freight and transportation tax, failure on the part of this body to take favorable action on this question is a disservice to every American, whether a child, homemaker, small business, labor, or big business. Not only will the people benefit from the repeal of this onerous pyramid in our midst, but Uncle Sam's appetite will be assuaged and his growing pains relieved due to greater revenue from increased purchasing incentive.

The Senate passed the Smathers amendment removing these shackles on June 17 by a vote of 59 to 25. In good conscience, I believe firmly that we can do as well, lest we wish to incur the wrath of the people at home. They have presented their case. It rests with us. Therefore, I urge that the House include an amendment to repeal this bugaboo tax on any transportation.

## Integration Delay of Little Rock High School

EXTENSION OF REMARKS
OF
### HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. DINGELL. Mr. Speaker, for a number of months the country as a whole has been watching Little Rock and the integration of Central High School. Recently we watched the first Negro graduate from that school get his degree in an atmosphere if not completely free of tension, nevertheless one much improved from the time when that same student entered the school last fall.

Late last week Judge Harry J. Lemley, United States district judge, granted a 2½-year delay in the conduct of the integration of that school. I am extremely critical of Judge Lemley's spineless retreat from the previous Federal

court order. It is an abject surrender of hard earned progress. We must not forget the Little Rock integration order was based on the local school authorities' own order.

This is a weak-kneed subordination of Federal court authority to racists, extremists, and to those in high places who have used the power of their office and the National Guard to prevent the entrance of Negro pupils to Central High School pursuant to lawful court order.

It would appear that the 2½ years will be sufficient time to get the present incumbent out of the governor's chair in the State of Arkansas, and that may be the basis for the order of the court. It seems certain that in view of the abject surrender of the district court to the pressure of racists and others, someone at least as extreme in his views as the present Governor of the State will follow in office. From the court order we can only assume that any time tension, violence, threat of violence, or threat of improper official interference is offered the United States courts not only will fail to carry out integration orders but will actually roll back the integration orders to the status quo previous to their issuance. We are now watching the abandonment of a year's progress and the abandonment of expenditure of millions of dollars to maintain peace and order in Little Rock by Federal, State, and local authorities.

The courts of this country can and must stand firmly behind the law and its enlightened application in all parts of the country. If a situation develops as we see it developing in Little Rock under the latest order of Judge Lemley, it becomes clear that violence and intimidation can defeat both justice and our Federal court's proper order. Indeed, an order such as this is an open invitation to use force and violence to thwart and subvert the Federal Government in its authority to protect all of its citizens in their proper rights. If this is allowed to stand, men of goodwill will be hard pressed to maintain gains in race relations made so far.

The order of the court in Little Rock must be upset. The President and the Attorney General of the United States must take leadership in this and must use all procedural and substantive measures to guarantee that there will be no roll back of our Federal court's authority. To do otherwise is submission to intimidation by persons in private life and acting under color of high local office. The order must be appealed and reversed at the earliest possible moment.

## Results of 1958 Questionnaire

EXTENSION OF REMARKS
OF
### HON. PAUL G. ROGERS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. ROGERS of Florida. Mr. Speaker, under leave to extend my remarks, I include in the RECORD the results of my annual questionnaire. This year I am especially gratified with the large response I have received, over 28,000 having answered the questionnaire. I think this fine response indicates the great interest that the people of the Sixth District are taking in governmental matters. Their replies are very helpful to me as their Congressman and I am grateful to each one who sent in an answer. The questionnaire and results follow:

*Results of 1958 questionnaire—From Congressman Paul G. Rogers*

[Total questionnaires received, 28,000]

| | Percent | |
|---|---|---|
| | Yes | No |
| 1. The President's budget requests the Congress to appropriate an additional $3,900,000,000 for foreign aid (military and technical). There were on hand total unexpended funds for the foreign-aid program in the amount of $7,149,808,000 as of Dec. 31, 1957. Do you— | | |
| a. Favor additional money for foreign aid? | 16.3 | 83.7 |
| b. Favor a reduction of foreign-aid funds? | 85.7 | 14.3 |
| c. Favor discontinuing all foreign aid? | 39.0 | 61.0 |
| 2. Do you favor a summit conference between the United States and Russia on current East-West differences? | 61.9 | 38.1 |
| 3. Do you favor a program of using Federal funds to make scholarships available to boys and girls who want to be educated as scientists and engineers? | 83.6 | 16.4 |
| a. By grants? | 25.2 | |
| b. By loans to be repaid? | 74.8 | |
| 4. A tax cut has been suggested to stimulate the economy. Would you favor such action at this time? | 54.2 | 45.8 |
| 5. Do you favor the extension of the reciprocal trade agreement law for another 5 years as proposed by the President? | 77.4 | 22.6 |
| 6. Would you favor a law or constitutional amendment to define action to be taken on the disability of the President and to say who is to determine when he is disabled? | 84.4 | 15.6 |
| 7. Do you favor a reorganization of the Department of Defense? | 79.5 | 20.5 |
| a. Change Joint Chiefs of Staff for a single Chief? | 56.7 | 43.3 |
| b. Change Army, Navy Air Force into Department of Defense Troops with functional divisions as Strategic, Tactical, and Defense Forces? | 75.7 | 24.3 |
| 8. At present a person drawing social security is prohibited from earning in excess of $1,200 a year. Do you believe this limitation should be removed? | 75.7 | 24.3 |
| 9. Do you favor proposals for pay television? | 12.2 | 87.8 |
| 10. Would you favor a change in the immigration policy of the United States to make it: | | |
| a. More liberal? | 10.9 | ------ |
| b. More restrictive? | 59.2 | ------ |
| c. No change? | 29.9 | ------ |

## Poll of 11th Ohio District

EXTENSION OF REMARKS
OF
### HON. DAVID S. DENNISON, JR.
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. DENNISON. Mr. Speaker, this year, as last, I mailed a questionnaire to a cross-section of my constituents, seeking their views on some of the major issues confronting Congress this session. More than 6,300 persons have already returned the questionnaire, hundreds of whom made additional comments on attached sheets. The response was most gratifying and will be helpful to me in evaluating these vital matters.

For the information of my colleagues, under leave to revise and extend my remarks, I am inserting the following tabulation:

RESULTS OF OPINION POLL

1. To deal with new problems resulting from the exploration of outer space, we should: Try to gain control for United States by racing for first discoveries, 18.4 percent; try to establish joint international control with NATO countries, 36.9 percent; try to achieve joint international control with Russia through U. N., 26.1 percent; no answer, 18.6 percent.

2. In the field of labor-management relations, I favor: Maintenance of present Federal policies which leave management of union affairs to union leaders, 5.6 percent; adopt the President's plan which requires strict accounting for union funds with criminal penalties for violations and permits union members to sue in civil courts for violations, 86.1 percent; fewer restrictions on union activities, .9 percent; no answer, 7.4 percent.

3. So far as farm price supports are concerned, Congress should: Increase farm price supports, 5 percent; continue flexible supports at present levels, 19.2 percent; gradually eliminate all price supports, 66.2 percent; no answer, 9.6 percent.

4. To solve the problems in education, I favor (check one or more): Federal aid for school construction, 22.4 percent; Federal scholarships for top students, 18.0 percent; science academy (like West Point, Annapolis) to help train scientists for defense, 20.2 percent; FHA-type loan program to help deserving college students, 22.9 percent; leave all education finance problems to States and local districts, 16.5 percent.

5. With reference to our foreign trade policy, I favor: maintenance of Eisenhower policy of gradual lowering of protective tariffs as a stimulus to world free trade, 46.1 percent; increase tariffs on imports to maintain prices and living standards in industries which cannot undersell foreign goods, 24.7 percent; the extension of trade to nations behind the "iron" and "bamboo" curtains, 2.6 percent; a policy favoring Western hemisphere free trade, but increasing restrictions on Eastern hemisphere trade, 5.6 percent; no answer, 21.0 percent.

6. We are now financially helping more than 50 foreign countries with some form of aid, in the effort to "contain" communism. I favor that the United States restrict foreign-aid programs to nations which have consistently taken an anti-Communist position, such as South Korea, Nationalist China, and Turkey, 27.3 percent; the United States continue its present program, so as not to lose currently "neutral" nations to the Communists, 36.2 percent; the United States spend more on the neutral nations in order to try to win them to our side, 4.6 percent; cease all foreign aid of all types, including military assistance, 13.8 percent; no answer, 18.1 percent.

7. What should be done about Federal spending in these areas:

Veterans' benefits: No answer, 10.4 percent; increase, 19.6 percent; decrease, 18.9 percent; no change, 51.1 percent.

National defense: No answer, 11.4 percent; increase, 42.8 percent; decrease, 9.1 percent; no change, 36.7 percent.

Education: No answer, 10.9 percent; increase, 59.2 percent; decrease, 7.3 percent; no change, 22.6 percent.

Social-security benefits: No answer, 7.2 percent; increase, 52.7 percent; decrease, 3.3 percent; no change, 36.8 percent.

Farm subsidies: No answer, 12.3 percent; increase, 6.2 percent; decrease, 59.2 percent; no change, 22.3 percent.

Government employees' pay including postal workers: No answer, 11.4 percent; increase, 49.4 percent; decrease, 1.9 percent; no change, 37.3 percent.

Public works (dams, harbors, etc.): No answer, 11.4 percent; increase, 44.1 percent; decrease, 12.3 percent; no change, 32.3 percent.

Roads: No answer, 8.7 percent; increase, 67.2 percent; decrease, 3.9 percent; no change, 20.2 percent.

Benefits for retired civil servants: No answer, 15.9 percent; increase, 32 percent; decrease, 3.9 percent; no change, 48.2 percent.

In general, do you favor—

8. A right-to-work law? No answer, 8.8 percent; yes, 28.1 percent; no, 63.1 percent.

9. Admission of Red China to the U. N.? No answer, 7.8 percent; yes, 15.9 percent; no, 76.3 percent.

10. Secretary of Agriculture Benson's policies? No answer, 22.9 percent; yes, 49.7 percent; no, 27.4 percent.

11. The manner in which Eisenhower is doing his job? No answer, 12.6 percent; yes, 60.4 percent; no, 27 percent.

12. Increase of postal rate to 5 cents for first-class mail? No answer, 6 percent; yes, 35.1 percent; no, 58.9 percent.

13. Altering the front of the Capitol Building to provide more space? No answer, 18.7 percent; yes, 26.3 percent; no, 55 percent.

14. Legislation to prohibit billboards along new Federal highways? No answer, 5.2 percent; yes, 80.2 percent; no, 14.6 percent.

15. Restriction of political contributions by unions? No answer, 5.5 percent; yes, 74.5 percent; no, 20 percent.

## Washington Report

EXTENSION OF REMARKS

OF

## HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 1958*

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter dated June 21, 1958:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

The omnibus rivers and harbors bill passed 374 to 17 over my objection. This bill authorizes Federal action on 53 navigation projects ($174 million), 14 beach-erosion projects ($11½ million), and 80 flood control projects ($1,353,000,000), of which $495 million was for new projects or modifications and $608 for existing projects. This total of $1,556,000,000 is authorized at a time when there is a 20-year backlog of earlier authorized projects (at the usual rate of appropriations). This bill, replacing the one vetoed by the President, has something for everyone in it.

The public-works appropriation bill of 1959 ("appropriation" is the actual voting of money, following earlier "authorization," each project thus being considered twice) provides the funds for the projects authorized even before those mentioned above in the omnibus bill. The total of $1,074,000,000 provides funds for hundreds of projects both for advance planning and for new and continued construction. The funds are allocated through the Corps of Engineers, Department of Interior, and various area power administrations including the TVA. The $182 million more than last year's high expenditures shows the increased pace of Government spending. At a time when the Federal Government is operating at a deficit, I for one cannot approve such increased spending. How can Americans with a heritage of freedom and belief in private enterprise and constitutional government justify such reckless deficit spending? How can we explain away or remain enthusiastic about an economy and a way of life we're threatening to bankrupt, as we add to the debt and water our currency by inflation?

The Atomic Energy Act of 1958, providing for exchange of scientific knowledge with our allies, passed by an overwhelming vote. Congress retains the right of approval of all agreements. Such scientific interchange is a logical accompaniment to our military alliances.

The Transportation Act of 1958 has been passed by the Senate and has just been approved by the Interstate Commerce Committee of which I am a member. It now will come before the House. Ostensibly to help the Government-ensnarled railroads, the act contains several worthy provisions, including revised ratemaking and discontinuance of unprofitable service. The act is a good one and will permit the railroads to help themselves. I oppose the section which for the first time would permit the Government guaranteeing loans made to the railroads. I suggested in my supplement views in the report accompanying the bill that other steps should be taken:

1. Railroads should cut their expenses: (a) Last year class I railroads paid $241 million in wages "paid for but not worked" (ICC wage statistics, M-300-1957); (b) class I railroads also paid for 428 million miles which were not run, 9 percent of the railroads' total mileage; (c) $106 million was paid for injuries; safety measures can be improved; (d) terminals can be consolidated.

2. Wartime 10 percent passenger and 3 percent freight excise taxes should be eliminated.

3. States should amend laws to help the railroads. The railroads don't need Government credit. Less, not more, Government regulation is what is needed.

The Senate labor bill does not begin to provide the legislation needed to stop the wanton and brutal violence to people and property, the dishonesty, corruption, and abuse of power of certain dictatorial labor leaders. The House should add provisions to put labor under antitrust law and forbid compulsory unionism. However, there is little hope of the needed labor legislation coming from a House or Senate so largely constituted by Members indebted financially to labor leaders. Only public indignation of citizens can force Congress to act.

A tabulation of labor union political expenditures appeared in the CONGRESSIONAL RECORD of Monday, June 16, taken from reports filed with the Clerk of the House, as required by the Federal Corrupt Practices Act. It's interesting to note that even in Dallas County, where most political candidates are self-avowed conservatives (at least in the campaign season), the muscular political arm of organized labor is making its power felt. According to these official figures—and the contributions listed are only those which labor groups felt constrained to report—the CIO-PAC, COPE and similar labor groups spent some $10,300 in Dallas County in direct contributions to the Congressional campaign in 1956—and it wasn't to mine. In addition, the Texas AFL-CIO joint committee earmarked another $10,000 for use in "Congressional campaigns." Since there were only two "serious" general election Congressional races, one can only surmise how much of this money found its way into Dallas. Labor leaders are dead serious about gaining political control, and they have lots of money to so invest.

Briefs: (1) Nagy's execution when added to J. Edgar Hoover's Masters of Deceit reminds us of communism's murderous intents; (2) new Supreme Court rulings reflect muddy, almost incomprehensible reasoning.

## The Spirit and Strength of the United States of America

EXTENSION OF REMARKS

OF

## HON. GORDON L. McDONOUGH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 1958*

Mr. McDONOUGH. Mr. Speaker, on this 4th of July, 1958, we celebrate the birth of the United States of America 182 years ago today.

Ours is a nation dedicated to liberty and freedom for the individual which is expressed in the preamble of our Constitution of the United States as follows:

We, the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Which expressed the bold spirit and strength of the American people.

On this the anniversary of our Nation's birth, we must rededicate ourselves to this bold spirit and strength and the principles for which our Nation stands. We must measure up to our courageous heroes and patriots who have gone before us—we must walk in the footsteps of our bold and venturesome pioneers—we must have the faith of our forefathers and their determination to preserve the ideals of liberty and freedom upon which our Nation is founded.

The United States of America was born on July 4, 1776, and the Declaration of Independence is its birth certificate. The bloodlines of the world run in the veins of its people because the United States offered freedom to the oppressed. Our Nation is many things, and composed of many people.

The strength of the United States is more than 165 million living souls and the ghost of millions who have lived and died in the service of the Nation.

The spirit of the United States is Nathan Hale and Paul Revere. This spirit stood with the Minutemen at Lexington when the shot was fired which was heard around the world. Its strength is Washington, Jefferson, and Patrick Henry. It is John Paul Jones, the Green Mountain Boys, and Davy Crockett. It is Lee, Grant, and Abe Lincoln.

The strength of our Nation remembers the Alamo, the *Maine*, and Pearl Harbor. When freedom called, American patriots answered and stayed until it was over, over there. Our heroic dead were left in Flanders Field, on the rock of Corregidor, and on the bleak slopes of Korea.

The strength of America is the wheat lands of Kansas, and the granite hills of Vermont. It is the coalfields of the Virginias and Pennsylvania, the fertile lands of the West, the Golden Gate and Grand Canyon. It is Independence Hall, the *Monitor* and the *Merrimac*.

Our Nation is big. It sprawls from the Atlantic to the Pacific, 3 million square miles throbbing with industry. It is more than 5 million farms. It is forest, field, mountain, and desert. It is quiet villages—and cities that never sleep.

In the spirit of the United States we can see Ben Franklin walking down the streets of Philadelphia with his bread-loaf under his arm. We can see Betsy Ross with her needle. We can see the lights of Christmas, and hear the strains of Auld Lang Syne as the calendar turns.

Our Nation's spirit is Babe Ruth and the World Series. It is 169,000 schools and colleges, and 250,000 churches where the people of our Nation worship God as they think best. It is a ballot dropped in a box, the roar of a crowd in a stadium, and the voice in a cathedral. It is in an editorial in a newspaper, and a letter to a Congressman.

The spirit of our Nation is Eli Whitney and Stephen Foster. It is Tom Edison, Albert Einstein, and Billy Graham. It is Horace Greely, Will Rogers, and the Wright brothers. It is George Washington Carver, Daniel Webster, and Jonas Salk.

Our Nation's spirit is Longfellow, Harriet Beecher Stowe, Walt Whitman, and Thomas Paine.

Yes, the spirit and strength of the United States of America is all these things. Our Nation was conceived in freedom and, God willing, in freedom and strength will it stand forever.

## General Joe and Col. Rennie Kelly

EXTENSION OF REMARKS
OF
### HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 1958*

Mr. TEAGUE of Texas. Mr. Speaker, in the 12 years that I have been a Member of this great body, we have been most fortunate in having assigned to us as liaison officers some of the finest men that the various services have to offer. Their position and duties are by far not the easiest as they are required to make decisions on matters wholly within the regulations which govern their service and at the same time render a decision which will be acceptable to the constituents which we represent.

Over the past 5 years of rapid technological development of modern warfare which has brought about a constant changing mission for the various services which has resulted in numerous problems to the services and to us as elected Representatives of the people.

Maj. Gen. Joe Kelly, as Chief of Legislative Liaison for the Department of Air Force and Col. Rennie Kelly as Chief of the House unit that have done as fine a job as I think is possible in view of the many aforementioned obstacles. They truly reflect every aspect of the title of "officer and gentleman" of the United States Air Force commission and I for one believe they have never misplaced the confidence and trust which their superiors must have had in them when they were assigned to these positions.

Within a short time both of these men will leave us, and I know that the other Members of this body will want to join me in wishing them both well in their coming new assignments.

## Social Security Taxes

EXTENSION OF REMARKS
OF
### HON. JOHN W. BYRNES
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 1958*

Mr. BYRNES of Wisconsin. Mr. Speaker, on pages 11827–11831 of the CONGRESSIONAL RECORD for June 20, 1958, the Senator from Wisconsin, Senator WILLIAM PROXMIRE, inserted a statement made by him before the Ways and Means Committee, including a colloquy between Senator PROXMIRE and myself as to the cost and tax effect of the Senator's social security bill (S. 3086).

In view of the fact that certain tables which form an integral part of that discussion were omitted in this insertion by Senator PROXMIRE, I include them here, as part of my remarks:

THE TAX IMPACT OF SENATOR PROXMIRE'S SOCIAL SECURITY BILL (S. 3086)

TABLE I.—*Social security tax increase resulting from increased social security tax rates contained in S. 3086, 85th Cong.*

| Annual income | Present social security tax (1958–59)[1] | Social security tax under S. 3086 (1959)[1] | Increase over present social security taxes | |
|---|---|---|---|---|
| | 2¼ percent | 3½ percent | | Percent |
| Employees: | | | | |
| $3,000 | $67.50 | $105.00 | $37.50 | 55.6 |
| $4,000 | 90.00 | 140.00 | 50.00 | 55.6 |
| $5,000 | 94.50 | 175.00 | 80.50 | 85.2 |
| $6,000 | 94.50 | 210.00 | 115.50 | 122.2 |
| $7,500 | 94.50 | 262.50 | 168.00 | 177.8 |
| | 3⅜ percent | 5¼ percent | | |
| Self-employed: | | | | |
| $3,000 | $101.25 | $157.50 | 56.25 | 55.6 |
| $4,000 | 135.00 | 210.00 | 75.00 | 55.6 |
| $5,000 | 141.75 | 262.50 | 120.75 | 85.2 |
| $6,000 | 141.75 | 315.00 | 173.25 | 122.2 |
| $7,500 | 141.75 | 393.75 | 252.00 | 177.8 |

[1] Under present law, social security taxes are collected on annual wages or self-employment income up to a maximum of $4,200. S. 3086 raises the maximum base to $7,500 a year.

TABLE II.—*Increases in Federal income taxes required to equal social security tax increases contained in S. 3086*

| Annual income | Present Federal income taxes[1] | Increase in social security tax under S. 3086 (from table I) | Percent increase in income taxes required to equal social security tax increase under S. 3086 (col. 3/col. 2) |
|---|---|---|---|
| Employees: | | | |
| $3,000 | $65.00 | $37.50 | 57.7 |
| $4,000 | 245.00 | 50.00 | 20.4 |
| $5,000 | 420.00 | 80.50 | 19.2 |
| $6,000 | 600.00 | 115.50 | 19.3 |
| $7,500 | 877.00 | 168.00 | 19.2 |
| Self-employed: | | | |
| $3,000 | 65.00 | 56.25 | 86.5 |
| $4,000 | 245.00 | 75.00 | 30.6 |
| $5,000 | 420.00 | 120.75 | 28.8 |
| $6,000 | 600.00 | 173.25 | 28.9 |
| $7,500 | 877.00 | 252.00 | 28.7 |

[1] Income taxes are computed on the basis of adjusted gross income for a married worker with 2 dependent children. Taxes for income under $5,000 are taken directly from optional tax table. Taxes for income $5,000 and over are computed, using standard 10 percent deduction.

TABLE III. *Average annual cost of changes in S. 3086 (based on latest intermediate cost estimate), expressed in dollars*

| | |
|---|---|
| 1. Cost of increased benefits | $8,100,000,000 |
| 2. Increased income (from new taxes resulting from change in earnings base and increase in tax rate) | 7,200,000,000 |
| 3. Annual deficiency created | 900,000,000 |

(Sources: Tables I and II prepared by Legislative Reference Service, Library of Congress, June 2, 1958. Table III based on information supplied by Robert J. Myers, actuary, Social Security Administration, June 5, 1958.)

It should be noted that table III, while correct at the time of preparation, does not take into account an amendment, submitted the day before the Senator testified, which reduces the benefits in the bill and, hence, its costs. Table III should now show that S. 3086 is approximately in balance, with costs being met by the tax increase contained in the bill. The amendment does not affect tables I and II.

Taken together, the tables show that:

First. S. 3086 would raise social security taxes, permanently, by $7,200,000,000 a year.

Second. The major burden of this tax increase would fall upon employees and self-employed making less than $7,500 a year.

Third. Employers, including small-business men and farmers, would share in the tax increase, resulting in either a reduction in their own income or in passing the tax on to consumers and employees as part of labor costs.

Fourth. The bill increases social security taxes by 55 percent to 177 percent, depending upon annual income level.

Fifth. These increased social-security taxes would be the equivalent of a regressive income-tax increase ranging from 19 percent to 86 percent, depending upon income level and type of employment.

## Atlanta, Ga., Law School Honors William M. Miller, Doorkeeper of the House of Representatives

EXTENSION OF REMARKS
OF
### HON. GORDON CANFIELD
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. CANFIELD. Mr. Speaker, Pascagoula, Miss., has every right to be proud of the service one of its native sons, William M. Miller, affectionately known as "Fishbait," as Doorkeeper of the House of Representatives.

With Mr. Miller's distinguished Representative and sponsor, the Honorable WILLIAM M. COLMER, also of Pascagoula, Members of the House on both sides of the aisle, rejoiced yesterday when it was announced that "Fishbait" had been honored with a doctor of laws degree by the Atlanta Law School in Atlanta, Ga. It was generally agreed this honor was well deserved and well bestowed.

Dr. Miller received his salty nickname early in life when beset by illness and slow to develop physically he was called "Shrimp" by playmates. Soon this was changed to "Fishbait." Adults picked it up and today more people know him as such than those who call him Bill.

"Fishbait's" first job under Mr. COLMER's patronage was in 1933 in the House Post Office where he served both as a clerk and a carrier. His own biography says that he married his nurse, the former Mable Breeland, of Tylertown, Miss., and they have a 15-year-old daughter, Sarah Patsy. Doorkeeper to the House under Democratic control, he was also chosen to be Chief Doorkeeper of the last three Democratic National Conventions.

Today "Fishbait," in splendid physical shape, daily turns in a remarkable performance both in behalf of his 435 bosses in the House and the thousands of Americans from the 48 States and others visiting our beautiful National Capitol. He is the last word in courtesy and finesse and, while a political employee, a patronage designee, he likes to do that little extra bit for anyone calling on him for assistance. His success in his assignment proves that it pays to be fine and decent, to like people, to be responsive to their calls.

Yesterday, I asked "Fishbait" what there was about his job that made him like it so much. His answer was: "Having a very small part in the work of the American Congress as it daily contributes to the history of our times."

I then asked the new doctor of laws if he could call any special thrills and his answer was: "Yes, many, including those when I have been privileged at joint sessions to announce the names of Presidents coming to the Hill and visiting dignitaries such as Mr. Churchill, Mr. Eden, Mr. Auriole. It is a spine-tingling experience."

When "Fishbait" is not busy in his office or on the floor of the House, he is almost certain to be lecturing a visiting group on the history, traditions, procedures, and human interest stories of the House he loves so much.

Students of the American scene can learn much from this hard-working and most interesting House official.

## Improvement of Bank Chartering Provisions

EXTENSION OF REMARKS
OF
### HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. MULTER. Mr. Speaker, H. R. 13099, which I introduced to amend the Federal Deposit Insurance Act, requires the Federal bank chartering and supervising authorities first, to formulate specific rules for the approval or rejection of applications for charter or insurance; second, to hear publicly all interested parties when chartering a bank or admitting a bank to membership, or authorizing a branch; and third, to state in writing the reasons for rejection of applications in the event that rejection is appropriate.

The supervisory authorities now act on applications for bank charters, opening of branches, and admission to insurance, without public hearings. They appraise applications in the light of general criteria stated in the Federal Deposit Insurance Act, and in the light of circumstances and their own experience. Despite extensive experience in appraising applications no standards have been formally categorized and the reasons for disapproval are not made available to the interested parties, except in the general language of the statute.

Enactment of this bill would assure uniform and equitable consideration of the public interest in the chartering and insuring of commercial banks. The bill is directed to the process of permitting banks to obtain insurance of their depositors' accounts. Since newly organized national banks must obtain this insurance, the bill will affect both national banks, and such State banks as seek membership in the Federal Reserve System or insurance of their deposits. Practically, it will also affect most newly organized State banks because most State chartering authorities approve charters for new banks on condition that the Federal Deposit Insurance Corporation will agree to insure their deposits.

The intent of the bill can be summed up very briefly: Consideration of the public interest in authorizing the establishment of banks in accordance with democratic principles of procedure. This is particularly appropriate because commercial banks, more than most other organizations, affect the public interest.

The banks hold most of the spending money and much of the savings of the people and of the businesses of the country. Other financial institutions depend on the banks to hold their funds, to provide the mechanism of making payments, and to provide additional money when needed by those institutions. The commercial banks hold billions of dollars of the Government's money, and other billions of dollars in bank accounts into which employers deposit taxes for payment to the Government.

Billions of dollars of bank loans are insured by the Government through FHA and other billions of dollars of loans are guaranteed by the Veterans' Administration; loans guaranteed by the Commodity Credit Corporation now amount to half a billion dollars but at times in the past have exceeded $2 billion.

The Small Business Administration and the Farmers Home Administration participate in loans with banks, and guarantee loans made by banks.

The financial convenience and even the soundness of our economy depends to no small degree on the financial soundness of the banks.

Another consideration also is important: The assistance to homeowners and to business which the Government extends through insurance, guarantee, or participation with the banks, can be distributed most equitably throughout the Nation only if adequate banking facilities are available in all places.

My bill contributes to adequacy of banking facilities as well as to their soundness, by bringing equity and uniformity into the process of authorizing private persons to establish banks where they are needed. It makes for a better competitive free enterprise system.

The commercial banks are permanent and stable organizations. But they are responsive to the growth and shifting of population centers, to the development of industries and commerce, and consequently there are many occasions each year when Federal authorities must decide on the chartering or insuring of new banks. Even more frequently, there are occasions for decision about opening of new branches. The FDIC, the Federal Reserve System, and the Comptroller of the Currency now have authority to act at the opening, as well as throughout the life, of the institutions under their supervision, to promote the public interest in connection with chartering an adequate number of sound commercial banks.

The purpose of the bill is to be attained by adapting and perfecting the democratic procedures that are followed in more or less imperfect manner in independent regulatory commissions and other offices.

In contrast with bank chartering, the licensing requirements of almost all other agencies require hearings and written justifications of actions.

Another contrast is found in bank examination. The philosophy guiding examination has been developed and stated in manuals which have been revised and used during many decades by Federal examiners.

My bill would require the preparation for public guidance of standards and criteria relating to the formation of new banks and their qualifications by the FDIC for insurance of their depositors' accounts.

When the Federal Government licenses enterprises, public participation usually is sought in obtaining the information on which the commission or other authority will base its decision. The Corps of Engineers, for example, licenses public works on navigable waters. It gives notice of the proposals, and receives any public protests. Hearings are customary, though not mandatory. The Civil Aeronautics Administration issues certificates of convenience and necessity for air routes, after public notice and hearings. The Federal Communications Commission licenses broadcasting, telecasting, and so forth.

Any interested person, such as the carrier, State commissions, transport associations, and so forth, may support or oppose the application for the certificate or the license.

In the Department of the Interior, the grazing service issues grazing permits, and is required to state in writing the reasons for denial of applications. The Commercial Fisheries Bureau holds hearings.

The applications for certificates of convenience and necessity in the event of proposed merger of railroads or truck lines require public hearings by the Interstate Commerce Commission.

The Federal Power Commission licenses the construction of power projects over navigable waters. It allows protests by interested parties, and may hold hearings when protests are made or when the Commission is not satisfied as to the desirability of granting the application.

Decisions on applications tend in the direction of being supported by written opinions.

The first Hoover Commission remarked on this tendency. These written opinions become precedents, and are added to the regulations appearing in the Federal Register to provide the rules by which the work of licensing is guided. The regulatory commissions follow the pattern of all democratic institutions in the matter of licensing as in other matters. This pattern was summed up several decades ago by a leading writer on the economic aspects of government:

> There is naturally always a resistance, on the part of those who make the authoritative decisions, against any movement requiring * * * working rules to be formulated in words and published for the information of all. It is usually contended by them that the rules are so difficult and complex that they can be understood only by experts or those who by long training have become experienced in interpreting them. * * * Much the same doctrine is formulated by businessmen, bankers, financiers, politicians, labor leaders, and others who dread the bad use that might be made of the flexible working rules which they administer, or who flatly deny that the rules are anybody's business but their own. Yet the publicity of these working rules is the very means by which the ruling authorities in any concern can be held to responsibility for their acts, and the members of the concern can be certain of what they can, may, or must do, or not. And, in proportion as those who are called upon to obey the rules acquire sufficient intelligence and power, they insist, first, on the publicity of the rules, then upon a voice in formulating the rules, then upon an independent judiciary that shall decide disputes that arise under the rules. This process * * * can be observed in the history of almost any business, religious, cultural, or other concern, with the rise of the laborers, the laity, or the so-called rank and file, into a position of intelligence and power (John R. Commons, the Legal Foundations of Capitalism, 1924, pp. 141, 142).

When the rules are published, and written opinions are given to support decisions, the commissions and other agencies continue to make decisions on a case-by-case basis, and that necessarily must continue to be the practice. But the amount of analysis and evaluation undertaken on each application might be reduced, and the applicants and the agency staff be able to furnish the data which are most helpful in reaching a decision, if formal standards of decision were developed. These standards should give direction to the whole program, avoiding inconsistencies and inequities.

Formal standards have not been developed in insuring bank deposits and in the chartering of national banks and the granting of Federal Reserve membership, despite 25 years of FDIC existence, 45 years of the Federal Reserve System, and 95 years of the national banking system. There are statutory criteria to guide all the Federal authorities in admitting banks to deposit insurance and in the chartering which is precedent to insurance. These criteria are in the FDIC Act, and are not changed in my proposed bill.

There is no detailed guidance for the application of these criteria in the act as it stands. It has been urged that such guidance could not wisely be stated in an act of Congress; that the matter is too detailed for legislation and is appropriate for specialists.

The Federal agencies are required by my bill to formulate the philosophy which they follow when applying the statutory criteria.

The supervisory agencies will be able to conduct their work with greater consistency and equity, and more expeditiously, when the rules under which they operate have been formulated in detail and been made publicly available. The persons desiring to initiate banks, to convert them to national banks, or to Federal Reserve member banks, or otherwise to acquire insurance of depositors' accounts, will be able to learn more fully and in advance of their action, what the FDIC, the Federal Reserve, and the Comptroller will find acceptable. Private initiative in the banking field should be liberated and enlarged as a result of this bill. At the same time, it will go a long way toward preventing discriminatory, arbitrary, or capricious agency action.

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## Health Story at Brussels Fair

EXTENSION OF REMARKS
OF
### HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. FOGARTY. Mr. Speaker, in last Sunday's edition of the New York Times Dr. Howard A. Rusk presented an analysis of this Nation's failure to tell its health story at the Brussels Fair. In his article, written from Brussels, Dr. Rusk states:

> Those particularly interested in health, however, will be disappointed that there is no exhibit on health. Here would have been a golden opportunity to show from 40 to 60 million people that the emphasis we place on dignity and service for our sick and handicapped is also a hallmark of life in America.

Back in February of this year I indicated on the floor of this House that I was afraid that our failure to provide for a health exhibit would present us to the world as a second-rate power. At that time, during debate on the second supplemental appropriation bill, I stated:

> I am particularly concerned because my preliminary inquiries reveal that plans for the United States presentation at Brussels may contain no provision for any exhibit depicting the tremendous contribution made by this country toward advances in the field of medicine and public health. If we are to adhere to the theme established for this great fair, which is "A World View—a New Humanism," we must not fail to present an effective showing of the great advances which we have made in improving the health of our people, the dramatic decreases of disabling illness and increases in life span which we have achieved. These are works of humanism of which we can be justly proud and which we can and should share with the world.
>
> For whatever the reason—lack of funds or lack of space—this vital field of our endeavor for a better life for our people has been ignored in the planning for the United States exhibit at Brussels. In contrast, a large part of the Soviet pavilion of some 200,000 square feet will be devoted to the exposition of the Soviet Public Health Service.
>
> If we are to have any hope of presenting to the world at Brussels some indication of our tremendous progress in the health field; if we are to have have any chance of avoiding a serious discredit in the eyes of the world in comparison with the Soviet display, then immediate action is necessary. The Congress has received a request for a supplemental appropriation of $2,054,000 to be applied to the cost of United States participation in the Brussels Fair. None of this amount, nor of the original appropriation for this purpose, is, to my knowledge, to be available for a public-health exhibit. All of it is justified in detail for other purposes.
>
> Therefore, I have introduced this amendment to provide an additional $1 million specifically for a public-health exhibit. I hope that the Members of this Congress will share with me the view that this is an important and urgently needed expenditure. I also stress the extreme urgency of this situation. Time is running out. Prompt action is essential if we are to avoid a serious loss of United States prestige at Brussels in the eyes of the world.
>
> The United States has much to gain or lose in its participation in the Brussels Fair. I believe that one of our most effective progressive and humanitarian ventures is in demonstration of our conquest of disease, and the omission of health from our presentation would be a grievous error. To avoid the commission of such an error I strongly urge your support of this amendment to the supplemental appropriation for our participation in the Brussels Fair. I trust that my amendment will enjoy the active support of all Members of the House.

As you recall, my amendment was approved by the House of Representatives but rejected by the other body. As a result the United States has failed to show her health advances to the world. This despite the fact that these advances are strictly of a humanitarian nature, and no critic could attribute them to commercialism or imperialism. Unfortunately, we have missed the golden opportunity to which Dr. Rusk refers. We have failed to tell to the world the story of American progress in health and medicine through the medium of such an exhibition at Brussels.

Mr. Speaker, under leave to extend my remarks I include the column of Howard A. Rusk, M. D., from the New York Times of June 22, 1958:

SOLD SHORT (SOFTLY)—AN ANALYSIS OF NATION'S FAILURE TO TELL ITS HEALTH STORY AT THE BRUSSELS FAIR

(By Howard A. Rusk, M. D.)

BRUSSELS.—The most discussed aspect of the American pavilion at the Brussels World Fair is the effective way in which we have underplayed our industrial, technological, and scientific strength.

The light, open building with its expanse of fountains outside and the lagoon and trees inside seems to say, "Come, stop in my home for a while. I have nothing to sell but my hospitality. I'll leave you alone. Just make yourself at home and wander around."

There is one area in which we have carried the soft sell to the extreme, however. This is medicine and health.

The sole reference to the United States' contribution to its own health and that of the world is a large glass-encased machine in the atomic energy exhibit. A small sign tells the viewer that among the peaceful uses of atomic energy are radioisotopes for the diagnosis of various diseases, and cobalt bombs for the treatment of cancer.

Just opposite the American pavilion, the Soviet Union has used the opposite approach. Its huge massive rectangular building, dominated on the inside by a towering statue of Lenin, is jammed with a concentration of models of sputniks, automation, heavy industry, and technological might.

The impression is that of a brawny, heavily muscled young giant who proudly points to his achievements as if to say challengingly, "Look at me. I'm strong, but I am also smart. I've reached manhood. Do not take me lightly."

Along with its other achievements since the great October revolution of 1917, the Soviet Union points with pride in its pavilion to its achievements in health.

On one side of the health exhibits are massive photographs of Pavlov and contemporary Soviet medical scientists.

IMPRESSIVE CLAIMS

On the other side are impressive claims of medical care gains since 1913—5,300 hospitals then, 25,140 now; 207,300 hospital beds then, 14,400,000 now; no pediatric clinics then, 7,125 such clinics now; only 9 maternity clinics then, but 7,200 now. The list continues on and on.

The most sobering figure, however, is the statement "Each hour 580 children are born in the Soviet Union."

Prior to the opening of the fair, the Russians had announced throughout the world that a feature of their exhibit would be an artificial arm controlled entirely by impulses from the brain. The arm is not on exhibition, but this writer was informed that it was expected in a week or 10 days. Upon further inquiry, it was found this same answer has been given since the fair opened.

The Soviet is not the only nation that calls attention to its own progress of world contributions in health.

The huge Belgian pavilion has a large section devoted to all aspects of public health and medical care in this small nation.

The impressive British pavilion has several exhibits on health and medicine including the photographs of its 30 Nobel prize winners. Small Portugal points with pride to its several notable medical contributions to the world including the work of its 1949 Nobel prize winner, Prof. Egas Moniz, whose studies on physiology of the brain laid the basis for surgery for certain mental disorders.

MAPS OF FAMOUS SPAS

The French pavilion has a small completely equipped surgical amphitheater, a section devoted to the Pasteur Institute, and other health programs. Like Germany.

The elaborate International Science Hall is disappointing to all but mature students of science.

One impressive exception to this, however, is an exhibit contributed by a number of American scientists and pharmaceutical concerns, on antibiotics. Here, clearly and concisely, the non-scientist can learn the basic principles of what an antibiotic is, how it is grown, how it acts and how it has affected the course of health throughout the world. Those interested in more detailed data have available without cost an excellent, well-illustrated booklet provided by the Chas. Pfizer & Co.

Although some Americans have criticized our own pavilion, most visitors from other nations like its informality and friendliness. They can watch an American fashion show, inspect a cross-cut of a giant redwood tree, examine our mail-order catalogs, be impressed by the size of an Idaho potato, and see American automobile license plates, Presidential campaign buttons, and highway and street signs.

Those particularly interested in health, however, will be disappointed that there is no exhibit on health. Here would have been a golden opportunity to show from forty to sixty million people that the emphasis we place on dignity and service for our sick and handicapped is also a hallmark of life in America.

## Supplemental Appropriation Needed for Veterans' Administration Loan Guaranty Program

EXTENSION OF REMARKS
OF
## HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, June 24, 1958*

Mr. TEAGUE of Texas. Mr. Speaker, during the hearings on veterans' housing held March 12, 1958, the committee asked the Veterans' Administration whether the agency had taken into account an increase in loan guaranty activities in compiling their budget request for fiscal 1959. The VA stated that the budget requested contemplated a steady decline in loan guaranty activities and that VA had just finished their hearings before the Appropriations Committee and had not asked for additional funds for any laws which had not been passed. The VA was asked to insert in the record estimates of additional funds and personnel that would be needed for increases in loans from 300,000 to 450,000 over and above their 1959 estimate.

*Estimated increased costs, loan guaranty program, based upon stated number of loans closed*

| | Number of loans | Employment | Personal services | Other costs | Total costs | Increase | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Employment | Personal services | Other costs | Total |
| 1959 budget | 55,500 | 1,750 | $9,081,486 | $1,952,156 | $11,033,642 | | | | |
| Estimates | 300,000 | 2,515 | 13,051,341 | 2,805,483 | 15,856,824 | 765 | $3,969,855 | $853,327 | $4,823,182 |
| | 350,000 | 2,686 | 13,938,728 | 2,996,233 | 16,934,961 | 936 | 4,857,242 | 1,044,077 | 5,901,319 |
| | 400,000 | 2,853 | 14,805,358 | 3,182,521 | 17,987,879 | 1,103 | 5,723,872 | 1,230,365 | 6,954,237 |
| | 450,000 | 3,021 | 15,677,177 | 3,369,925 | 19,047,102 | 1,271 | 6,595,691 | 1,417,769 | 8,013,460 |

NOTE.—There is no allowance in the above figures for increased costs due to an increase or extension of the direct loan program.

On April 2, 1958, the committee wrote the Administrator calling attention to the VA's testimony and asking what steps, if any, were contemplated by VA for supplemental money in view of the new Housing Act that had been approved the previous day by the President:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
*Washington, D. C., April 2, 1958.*

Mr. SUMNER G. WHITTIER,
*Administrator of Veterans Affairs,*
*Veterans' Administration, Washington, D. C.*

DEAR MR. WHITTIER: During the recent hearings held by the Committee on Veterans' Housing, officials representing the Veterans' Administration were requested to furnish for the record figures on personnel that would be required if the veterans' housing program was reactivated. These officials furnished figures indicating the additional personnel that would be required and the dollar amount that would be needed in addition to the 1959 budget if 300,000 or 400,000 loans were to be guaranteed by the Veterans' Administration during the next year.

Mr. T. J. Sweeney, former Director, Loan Guaranty Service, advised committee staff members that there is sufficient money for the remainder of fiscal year 1958 to employ additional personnel to handle any increase in housing activities.

Now that the President has signed the housing bill, I would appreciate being advised if there is sufficient money available for the remainder of fiscal year 1958 and what steps will be taken to request a supplemental appropriation for the 1959 budget in order to staff the regional offices so that the loan guaranty operations will not be hampered due to lack of personnel.

Sincerely yours,

OLIN E. TEAGUE,
*Chairman.*

On April 15 the Administrator replied that he had discussed the matter of securing additional funds for loan guaranty with the Bureau of the Budget and had decided to delay his request for a

few months so that he would have some experience under the new law and would be able to more accurately reflect their needs:

VETERANS' ADMINISTRATION,
*Washington, D. C., April 15, 1958.*

The Honorable OLIN E. TEAGUE,
*Chairman, Committee on Veterans Affairs,*
*House of Representatives,*
*Washington, D. C.*

DEAR MR. TEAGUE: You are correct in that the Veterans' Administration has on hand sufficient funds to cover necessary expansion of the loan guaranty program in fiscal year 1958, as a result of the new housing bill as stated in your letter of April 2, 1958.

I have discussed the matter of securing additional funds for fiscal year 1959 with the Bureau of the Budget. Based on this discussion, it is my intention to submit a supplemental request to the Congress in sufficient time to permit action by the Congress prior to adjournment. By delaying this request for a few months we will have the opportunity to gain some experience under the new housing bill and will be able to more accurately reflect our needs for fiscal year 1959.

Thank you for your continued interest and assistance in this matter.

Sincerely,

SUMNER G. WHITTIER,
*Administrator.*

The House Appropriations Committee cut the overall VA budget by $2,088,000. Just what amount would be charged to loan guaranty operations is unknown at this time. The Senate, in considering the regular appropriations bill, restored the cut; however, in conference the amount was cut back to the House figure.

When it became apparent that the new housing bill adjusting the interest rate and providing increased direct loan funds was going to pass the Congress, it also became obvious that VA would need additional funds for loan guaranty personnel. The budget which had been presented contemplated a cut of 75 percent in loan guaranty personnel during fiscal year 1959. The committee urged the VA to seek additional funds in the regular appropriations bill for fiscal year 1959, and we are confident that if the VA had made a request the funds would have been provided. Nevertheless, the administrator made the decision to seek additional loan guaranty funds in a supplemental bill and I understand that bill is now being processed by the House. The VA workload has increased sharply and processing delays are being encountered in various parts of the country.

The Veterans' Affairs Committee is considering at the present time a bill which will increase the workload of the Veterans' Administration loan guaranty program. I regret very much that the bill which is being approved here today does not carry increased loan guaranty funds, but I do hope that additional funds can be made available soon through a supplemental appropriation.

Mr. Speaker, I want to say a few words in connection with the inpatient care item which is included in the bill pending before us under the Veterans' Administration. This item of inpatient care, as Members of course know, represents the amount of money which is actually spent for care of VA patients in VA hospitals and in contract hospitals where such care is authorized. The Veterans' Administration received from its operating agencies for the current fiscal year of 1959 a request for slightly less than $734 million for this item. To be exact, it was $733,966,000. The Veterans' Administration, on its own initiative, reduced this figure to $724,500,000, and the Bureau of the Budget, in submitting the 1959 budget, reduced this item further to $707,100,000. After hearing representative of the Veterans' Administration the Appropriations Committee recommended a sizable increase of $8 million in this one item, to make the total $715,465,000. The House passed it in this form and this was predicated by having an average daily patient load of 140,800. The other body, in its consideration approved the figure of $717,267,000, and the conference agreement provided for the return to the House figure—$715,465,000 with an average daily patient load of 140,490. I cite these figures, Mr. Speaker, to make the record abundantly clear that the Veterans' Administration was prohibited by the Bureau of the Budget from even asking the Congress for the amount of money which it felt it needed. While the final version is considerably more than the budget submitted by the President, it is still inadequate and, in that connection, I will also include as part of my remarks in the RECORD a letter from Dr. J. Gordon Spendlove, manager, Veterans' Administration Hospital, Portland, Oreg., and a resolution of the western managers adopted at the conference on March 19–21, 1958, in Oakland, Calif.

Mr. Speaker, it should also be clear to Members that the funds provided for fiscal year 1959 contemplate a reduction of 1,125 tuberculosis patients, this due to improved techniques in the treating of this disease. The 1,125 figure will not be entirely lost, however. Three hundred and twenty-seven of this 1,125 figure will be devoted to neuropsychiatric patients, and an additional 300 for general medical and surgical care. There will be a net reduction, however, of 498 in the average daily patient load, which means, of course, that there will be a corresponding reduction of approximately 500 operating beds.

Newspaper stories have been published indicating that all Government agencies are under instructions not in effect to submit for the 1960 budget any item in excess of their spending for 1959. This would mean, this case, that we can expect a further reduction in this field in the next budget which will be submitted to the Congress in January 1959. Originally, the Administrator had contemplated the closing of seven hospitals but after the restoration of funds in the House those plans were canceled.

VETERANS' ADMINISTRATION HOSPITAL,
*Portland, Oreg., March 26, 1958.*

The Honorable OLIN D. TEAGUE,
*Chairman, Committee on Veterans' Affairs, House of Representatives,*
*Washington, D. C.*

DEAR MR. TEAGUE: I believe that it is my duty to apprise you of the feeling of the managers and assistant managers of the 23 Veterans' Administration hospitals, centers, and domiciliaries located in the seven most western States. This group met in Oakland, Calif., March 19, 20, and 21. Enclosed is a copy of a resolution which we are asking our central office to forward to the Congress of the United States and the Bureau of the Budget.

We believe that current appropriations do not and have not supported presently legislated benefits for veterans nor the accepted concept of medical care either in 1958 or in the past several years. You will note in our statement that economies have been necessary to the extent that essential care to patients is deteriorating and further, that the Government's investment in equipment and physical plants has not been protected. We believe that Congress should either provide the money to implement the law or that it is guilty of breaking the law. The alternatives, of course, are that sufficient money be appropriated, or that the veterans' benefits be redefined on a level afforded by the appropriations.

Since you are the most powerful person in regard to the legislation affecting veterans' affairs, I have felt compelled to direct this correspondence to you.

Sincerely,

J. GORDON SPENDLOVE, M. D.,
*Manager.*

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RESOLUTION OF MANAGERS CONFERENCE MARCH 19–21, 1598

The managers of the 23 Veterans' Administration hospitals, centers, and domiciliaries located in seven western States have met to consider our hospital program for the next 2 years. Our deliberations have revealed a simple stark reality. Current appropriations will not support presently legislated benefits and accepted concept of veterans medical care.

The inexorable flood tide of price increases on all fronts is recognized throughout the hospital field. Voluntary hospitals, State hospitals, and university hospitals have experienced the effect of rising costs. With the possible exception of a few State hospitals, the costs are reflected in large rate increases and in substantial appropriations each year. In the nongovernmental hospitals these costs are passed on directly to the patient.

Our Veterans' Administration hospitals have not received funds over the past several years sufficient to keep abreast of these ascending costs. We are endeavoring to maintain a medical program equal to that offered in the community on preinflation appropriation levels. Neither have managers had funds adequate to discharge their specific responsibility in protecting the Government's investment in the physical plant and in equipment.

We have economized to the extent that essential care to our patients is inevitably deteriorating. Our 23 hospitals must have a substantial increase in fiscal year 1959 and a specific increase of $10 million for 1960 over and above the appropriation for 1958 in order to retain an acceptable level of medical care and to maintain our physical plants. These sums do not include whatever might come in a general pay raise for Federal employees, or the automatic wage boosts for blue collar workers.

Unless these sizable sums are made available, Congress must face these alternatives:

1. Lower quality of medical care and further deterioration of the physical plants; or
2. Reduce beds with a concomitant reduction in patient load: (a) close selected hospitals throughout the country; (b) close whole sections of beds in many hospitals.

We therefore unanimously resolve that the Bureau of the Budget and the Congress of the United States be apprised of this basic issue and be requested to take clear cut remedial action.